

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12549 of 2016

Arising Out of PS.Case No. -284 Year- 2015 Thana -WAJIRGANJ District- GAYA

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Birendra Pandey @ Birendra Kumar Pandey, son of Basant Pandey,
resident of Village-Kolhana, P.S.-Wazirganj, District-Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari, wife of Birendra Pandey @ Birendra Kumar Pandey, daughter of Hemanth Ojha, resident of Mohalla-Brahamni Ghat, P.S.-Vishnupad, District-Gaya

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Parmeshwar Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-03-2016

The petitioner being husband of the daughter of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 498A, 504/506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the daughter of the informant and is ready to keep the daughter of the informant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner is still

ready to keep the opposite party no. 2 with full

dignity and honour.”

It is submitted by learned counsel for the informant that daughter of the informant is ready to accept the offer of the petitioner provided petitioner keeps her with dignity and honour.

Both sides agree to appear before learned Court below on 18th of April, 2016, when the petitioner will take the daughter of the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Wajirganj P.S. Case No. 284 of 2015.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the daughter of the informant fails to appear before learned Court below (iii) If the daughter of the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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