

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16332 of 2016

Arising Out of PS.Case No. -341 Year- 2015 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Sudhir Kumar son of Dhananjay Kumar, resident of Indra Nagar, Postal
Park, Road No. 5A, P.S.- Jakkanpur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Shilpi Kumar D/o Sri Suresh Prasad, Resident of village & Post-
Bhagan Bigha, P.S.- Rahui, District- Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 18-08-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 341, 323, 504, 506, 498A/34
of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

The petitioner and the informant are present in
the Court.

It is submitted by learned counsel for the

petitioner that the petitioner admits his marriage with the informant having no issue. The petitioner is still ready to keep the informant as wife with full dignity and honour provided she does not impose any unreasonable condition. Statement to that effect has been made in paragraph 27 of the petition, which reads as follows:-

“That the petitioner is still ready to keep the informant with full dignity and honour provided she does not impose unreasonable conditions.”

It is further submitted that the petitioner has filed Matrimonial Suit No. 291 of 2015 for restitution of conjugal rights.

Learned senior counsel for the informant submits that the informant is ready to accept the offer of the petitioner and she only wants to be kept by the petitioner at the place of his employment with dignity and honour.

It is further agreed to file appropriate applications in all the litigations pending between the parties to the effect that the issue has been resolved between the parties within a period of six weeks.

Both sides agree to appear before the learned court below on 19th of September, 2016 when the petitioner will take the informant to keep her as wife with full dignity and

honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Rahui (Bhaganbigha) P.S. Case No. 341 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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