

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21928 of 2016

Arising Out of PS.Case No. -196 Year- 2014 Thana -JHANJHARPUR District- MADHUBANI

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1. Sanjeet Kumar Roy @ Sanjeet Kumar Rai Son of Laxmi Narayan Roy
Resident of village Jhanjharpur, P.S. Jhanjharpur District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Deepa Wife of Sanjeet Kumar Rai Daughter of Phusiyani Rai
Resident of village Parmanandpur, P.S. Jhanjharpur, District Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dr.M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 09-08-2016 Heard learned counsel 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, 498A, 384, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

On the joint prayer of the parties, the matter was referred to the Mediation and Conciliation Centre of the Bihar State Legal Services Authority vide order dated 18.05.2016. The report of the Mediator at Flag- B, dated 04.08.2016 reflects that the issue could not be resolved

through process of mediation.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 7 of the petition which reads as follows:-

“That the petitioner is husband of the informant and ready to keep and maintain her with full honour and dignity in the matrimonial house.”

It is submitted by the learned counsel for the informant that informant is ready to accept the offer of the petitioner.

Both the petitioner and informant agree to appear before the learned court below on 18th of August, 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 months 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 Sub-Divisional Judicial Magistrate, Jhanjharpur in connection with Jhanjharpur P.S. Case No. 196 of 2014, 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 within six months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the 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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