

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25136 of 2016

Arising Out of PS.Case No. -31 Year- 2015 Thana -MAHILA P.S. District- ARRARIA

1. Ram Kishan Paswan @ Bhima @ Neema Son of Kripanand Paswan @ Botla resident of Village- Aamgachhi Pokhariya, Police Station Sikty in the district of Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Arti Devi, W/o Ram Kishan Paswan @ Bhima @ Neema, D/o Satya Narayan Paswan, resident of Village- Aamgachhi Pokhariya, Police Station Sikty in the district of Araria. at present Resident of Village- Ithara, Police Station- Araria R.S., in the district of Araria.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate

For the Opposite Party/s : Mr. Gajendra Prasad Yadav (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-06-2016 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 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that petitioner admits the 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- 14 of the petition which reads as follows:-

“That it is humbly submitted that petitioner is ready to keep the O.P. No. 2 as his wife with full love, affection and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for three 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, Araria in connection with Araria (Mahila) P.S. Case No. 31 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within three 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)