

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34619 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -VALMIKINAGAR District-
WESTCHAMPARAN(BETTIAH)

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Arbind Kumar @ Arvind Kumar @ Kundan Kumar son of Chhotela Sah
..... Petitioner/s

Versus

The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

9 23-08-2016 Heard learned counsels for the petitioner, informant and
the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 494, 468 and 376 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Prosecution case is that the petitioner established physical relation with the informant on the pretext of marriage and thereafter performed marriage but subsequent to marriage torture was inflicted for non-fulfillment of dowry demand. The petitioner performed second marriage.

It is submitted by learned counsel for the petitioner that the issue has been reconciled between the parties and the investigation is still pending.

A supplementary affidavit has been filed bringing on record that a compromise petition has been filed before the learned Court below to the effect that the dispute between the parties has been reconciled and both sides have decided to reside separately.

Mr. Aditya Nath Jha learned counsel appearing on behalf of the informant does not controvert the contention of the petitioner and he is not opposing the prayer for bail of the petitioner.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for two months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Bagaha, West Champaran in connection with Valmikinagar P.S. Case No.16/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below on verification of the factum of compromise petition.

(Dinesh Kumar Singh, J)

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