

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34942 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -BIHPUR District- BHAGALPUR

Amit Kumar @ Amit Kumar Ray @ Amit Kumar Roy son of Anil Kumar Ray resident of village - Bhabnathpur, Police Station Akbar Nagar, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Smt. Sucheta Yadav (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-01-2016 Though, the matter has been listed under the heading "For Orders (On Office Notes) due to non-appearance of opposite party no.2 but it is submitted by Mr. Anupa Nand Jha that he has already entered appearance on behalf of opposite party no.2. Hence, the matter is being taken up on merits.

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Section 498A 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 instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Though, statement to that effect has not been made in the petition.

On instruction, learned counsel for the informant submits that the informant accepts the offer of the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Naugachia, Bhagalpur in connection with Bihpur P.S. Case No.133/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 25th January, 2016 when 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 by learned court below in three eventualities (i) if the matrimonial

harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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