

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42136 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -MAHILA P.S. District- NAWADA

Ashish Kumar Chanchal Son of late Ram Padarath Prasad

.... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Kumari Daughter of Omkar Das

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vitesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 03-03-2016

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 Sections 498A/323/341/504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and making assault to the informant.

The petitioner and the informant are present before this Court.

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.

It is further submitted by learned counsel for the petitioner that though the petitioner has filed Matrimonial Case No.187/14 with a prayer for divorce but he is ready to withdraw the same.

On instruction, learned counsel for the informant submits that the informant accepts the offer of the petitioner and agrees to file appropriate application in the present case before the learned court below stating the present stand whereby the issue has been reconciled between the parties when the learned court below will pass appropriate order, in accordance with law.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 CJM, Nawada, in connection with Nawada Mahila P.S. Case No.22/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 14th March, 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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