

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48910 of 2015

Arising Out of PS.Case No. -169 Year- 2015 Thana -PATNA CITY CHOWK District- PATNA

Dhirendra Kumar Son of Shri Ramchandra Prasad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Manoj Kumar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-03-2016

Though, the matter has been listed under the heading

"For Orders (On Office Notes) due to non-appearance of opposite party no.2, but since opposite party no.2 is present before this court, the matter is taken up for admission.

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, 341, 323, 448, 504, 506 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and birth of a female child. The petitioner is ready to keep the informant as

wife and the female child with full dignity and honour, though, specific statement to that effect has not been made in the petition.

Similar was the stand of the petitioner before the learned Court below but the informant refused to accept the offer.

It is submitted by learned counsel for the informant that the informant is now ready to accept the offer of the petitioner but she is a bit apprehensive due to the past conduct of the petitioner.

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 Judicial Magistrate, 1st Class, Patna City, Patna in connection with Chowk P.S. Case No.169/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides agree to appear before the learned court below on 19th April, 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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