

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27167 of 2016

Arising Out of PS.Case No. -8 Year- 2015 Thana -KAJRA District- LAKHISARAI

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Rahul Kumar S/o Sukan Mandal Resident of Kasim Bazar, Pani Tanki,
Maksuapur, P.S. Kasim Bazar, District - Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Smt. Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 30-06-2016

Heard learned counsels for the petitioner and the State.

Petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to resume his conjugal life afresh. A statement to this effect has been made in Para-11 of the petition, which reads as follows:-

“That the petitioner even today is ready to forget the past and to begin a new life in future if the informant is ready and willing to return to the matrimonial house and live with the petitioner.”

It is further submitted that the petitioner appeared before the learned court below, but the informant failed to appear despite issuance of notice.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lakhisarai in connection with Kajra P. S. Case No. 08 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 complainant for her appearance. On her appearance, the petitioner will take the complainant 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 complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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