

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28024 of 2016

Arising Out of PS.Case No. -41 Year- 2015 Thana -MAHILA PS District- JAMUI

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Suresh Das son of Dhaneshwar Das, Resident of village Kohila, Police Station, Sono, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anita Devi wife of Suresh Das, D/O Basant Das, resident of village Kohila, Police Station Sono, District Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Sahay, Adv.
For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-07-2016 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 323, 379, 354 and 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of the dowry demand. It is also alleged that the brother of the petitioner attempted to outrage the modesty of the informant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition

which reads as follows:-

“That the petitioner (Husband) is ready to keep his wife Anita Devi with himself with full honour and dignity.”

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 SDJM, Jamui in connection with Jamui Mahila P.S. Case No. 41 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, 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)

Amrendra/-

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