

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31676 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -KUNDWACHAINPUR District-
EASTCHAMPARAN(MOTIHARI)

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Raju Jaiswal @ Raju Prasad Chaudhary Son of late Faguni Chaudhary
Resident of Village- Mahangua, P.S. Kundawachainpur, District East
Champaran.

.... Petitioner

Versus

1. The State of Bihar
2. Radha Kishun Chaudhary Son of late Godami Chaudhary Resident of
Village- Kauniya, P.S. Pachpakadi (O.P) District East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Lalan Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 28-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the daughter of the informant is apprehending his 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 demands after about three years of the marriage.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the daughter of the informant and he is ready to keep the daughter of the informant with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:

"That, be that as it may, the petitioner has no grievance against his wife, and he, however, undertakes before the

Hon'ble Court to keep his wife with full dignity and honour, respect and comfort, safety and security."

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for six months, in the event of his arrest 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 the Sub-divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran in Kundawachainpur P.S. Case No. 26/2016, G.R.Case No. 271/2016, 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 daughter of the informant for her appearance. On her appearance, the petitioner will take the daughter of the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities: (i) if the matrimonial harmony is substantially restored, (ii) if the daughter of the informant fails to appear before the learned court below or (iii) if the daughter of the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Surendra/-

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