

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28811 of 2016

Arising Out of PS.Case No. -256 Year- 2012 Thana -BAHERI District- DARBHANGA

1. Ram Karan Jha son of Late Bhagwan Jha, resident of village Bathnaha,
P.S. Hathauri, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Urmila Devi daughter of Ganesh Jha, resident of village Siruaa, P.S.
Baheri, District- Darbhanga.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Nath Jha,Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 379, 323, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and

birth of two children and he is ready to keep the informant and children as wife with full dignity and honour. Statement to that effect has been made in para- 7 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant/complainant with full honour and dignity.”

Considering the fact that the case was registered in 2012 and the present application has been preferred in 2016, let the above named petitioner be released on provisional anticipatory bail for two 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Baheri P.S. Case No. 256 of 2012, 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 informant 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 within two months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails

to appear before the learned court.

(Dinesh Kumar Singh, J)

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