

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30206 of 2016

Arising Out of PS.Case No. -460 Year- 2015 Thana -DALSINGHSARAI District- SAMASTIPUR

Satyendra Kumar Pandit @ Satendra Kumar Pandit S/o Shashi Bhushan Pandit

.... .. Petitioner/s

Versus

The State of Bihar

.... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sri Anil Kumar Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-08-2016

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 241/323/498A/504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the supplementary affidavit which reads as follows:-

"That apart from the above petitioner is still ready to keep his wife Reena Kumari informant of this case."

It is further submitted that similar was the stand of the petitioner before the learned Court below but the informant refused to accept the offer of the petitioner, which gets reflected from the impugned order also. The petitioner has also filed Matrimonial Suit No.141/2015 for restitution of conjugal life.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail 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 ACJM, Dalsingsarai, Samastipur, in connection with Dalsingsarai P.S. Case No.460/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of bail will not preclude the informant to résumé the conjugal life and if she so wishes and files an application before the learned court below then learned court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this court.

(Dinesh Kumar Singh, J)

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