

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35309 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MAHILA P.S. District- PATNA

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Samir Verma, son of Sri Munna Verma

.... Petitioner/s

Versus

1. The State of Bihar.
 2. Smt. Shiwani Verma, W/o Samir Verma, and D/o Sri Shiv Nath Kumar,
- Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Krishna Murari Prasad, Advocate
Mr. Ashok Kumar, advocates
For the Opposite Party/s : Smt. Indu Bala Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-08-2016 Heard learned counsels for the petitioner, informant
and the State.

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

Basic accusation is of torture for non-fulfillment of 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 paragraph no.10 of the petition which reads as follows:-

"That it is stated and submitted that petitioner is

always ready to keep his wife with full love and dignity in any condition"

Learned counsel for the informant submits that the issue could not be resolved at the conciliation centre due to the laches on the part of the petitioner and the petitioner has also filed Matrimonial Suit No. 671/2016 with a prayer for divorce.

Learned counsel for the petitioner further submits that the petitioner is ready to withdrawn the matrimonial suit, though, statement to that effect has not been made in the petition.

Learned counsel for the informant further submits that now the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 19th September, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Judicial Magistrate, 1st Class, Patna, in connection with Patna (Mahila) P.S. Case No.5/2016, subject to the conditions as laid

down under Section 438(2) Cr.P.C.

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.

Ashwini/-

(Dinesh Kumar Singh, J)

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