

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28994 of 2016

Arising Out of PS.Case No. -74 Year- 2014 Thana -GHANSHYAMPUR District- DARBHANGA

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1. Satya Narayan Paswan son of Saryug Paswan resident of village - Asi,
Police Station - Ghanshyampur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rani Devi wife of Satya Narayan Paswan, Daughter of Chandeshwar
Paswan resident of village - Asi, Police Station - Ghanshyampur and
District - Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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

ORAL ORDER

3 25-07-2016 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, 341,
323, 504/34 of the Indian Penal Code and 3/4 of the
Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that petitioner admits the marriage with the
informant and he is ready to keep the informant as wife
with full dignity and honour. Statement to that effect has

been made in para- 6 of the petition which reads as follows:-

“That the petitioner is husband of the informant and ready to keep the informant with full dignity in spite of that she is not ready to live with the petitioner in her matrimonial house. ”

From the impugned order it appears that the informant was ready to resume the conjugal life, but the petitioner refused to keep her.

It is submitted by the learned counsel for the petitioner that now the petitioner is ready to keep the informant as wife with full dignity and honour.

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 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 Sri Rajaram Santosh Raj, J.M., Ist Class, Biroul at Benipur, Darbhanga in connection with Ghanshyampur P.S. Case No. 74 of 2014, 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 six 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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