

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33252 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -AWADPUR District- KATIHAR

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1. Rahenul son of Sakratu resident of Village-Jattahr (jabadhpur) P.S.
Abadpur, District Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 09-08-2016 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered under Sections 498A,341,323,379 and 504/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner admits his marriage with the informant. On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph 9 of the petition relevant portion of which reads as follows:

“ That it is humbly stated and submitted that petitioner is ready to keep the informant wife with love, dignity and honour....”

It is further submitted that similar was the stand of the petitioner before the learned court below and subsequently the informant went to matrimonial house but she left the house of her own.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner. Both petitioner and the informant agree to appear before the learned court below on 18.8.2016 when the petitioner will take the informant to keep her 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 arrest or surrender before the learned Court below within a period of six 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 learned JM Ist Class, Katihar in connection with Abadpur P.S. Case No. 46 of 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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