

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35504 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -MAHILA P.S. District- MADHEPURA

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Shankar Yadav, son of Abhinandan Yadav, resident of Village-Naulakha,
Madhepura, Ward No. 01, P.S.-Madhepura, District-Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Sohagwati Devi, daughter of Chandeshwari Yadav, wife of Shankar
Yadav, resident of Village-Betona, P.S.-Madhepura, District-
Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-08-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 334 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It appears from the impugned order that before learned Court below the petitioner undertook to keep the informant as wife with full dignity and honour but no such effort was done to resume the conjugal life.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the informant and now he is ready to keep the informant as wife with full dignity and honour. A statement to that effect

has been made in para 8 of the petition which reads as follows:-

“That the petitioner is the husband of the informant and he is ready to keep his wife with full respect and dignity.”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhepura in connection with Madhepura Mahila P.S. Case No. 32 of 2016.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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