

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32499 of 2016

Arising Out of PS.Case No. -243 Year- 2015 Thana -PIPRA District-
EASTCHAMPARAN(MOTIHARI)

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Ashish Kumar son of Sakaldeo Sah resident of Village - Sariyatpur P.S.-
Pipra, District- East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. Punam Devi Wife of Ashish Kumar, daughter of Late Birendra Sah
resident of Village- Sariyat, P.S.- Pipra, District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Smt. Asha Kumari

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

ORAL ORDER

2 02-08-2016

Heard learned counsel for the parties.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under sections 323, 498A, 504, 506/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and he is ready to keep the informant with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition. It is further submitted that the informant at the earlier

point of time filed Kalyanpur P.S. Case No. 151/2014 against her husband and the in-laws but the same was ended into compromise.

Considering the present stand of the petitioner, let the abovenamed 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari, East Champaran in Pipra P.S. Case No. 243/2015, G.R. Case No. 5014/2015, 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 for her appearance. 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 by the 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.

(Dinesh Kumar Singh, J)

Surendra/-

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