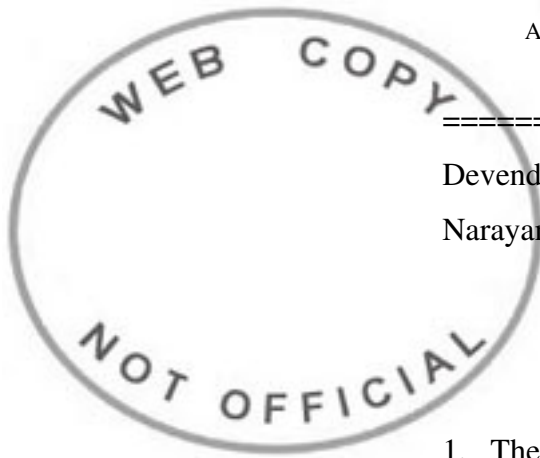


IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26850 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -TELHARA District- NALANDA
(BIHARSHARIFF)



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Devendra Kumar son of Late Rajdeo Yadav, Resident of Village-
Narayanpur, Police Station- Hulasganj, District- Jehanabad.

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. Soni Kumari @ Guria Devi Daughter of Ramdeo Prasad resident of
village- Badalpur, Police Station- Telhara, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 21-07-2016 Heard learned counsels 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 of the Indian Penal Code
and 3/4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 6 of the petition, which reads as follows:-

“That it is humbly submitted that the petitioner is the husband of the informant and always ready to keep the informant with dignity but the informant is not ready to live with the petitioner.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Telhara P.S. Case No. 31 of 2016, 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 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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