

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32716 of 2016

Arising Out of PS.Case No. -66 Year- 2015 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

=====

Chandeshwar Kumar Rai son of Paras Nath Rai.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-08-2016

Heard learned counsels for the petitioner and the State.

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

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her 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 it is relevant to mention here that the petitioner is the husband of Opposite party no.2 and he is ready to keep her with full dignity and affection.”

From the impugned order, it appears that the petitioner refused to keep the informant as wife, though, the informant was ready to reside with the petitioner.

It is further submitted by 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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bagaha, West Champaran in connection with Mahila P.S. Case No. 66 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance when the petitioner will take the informant to her matrimonial house 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 failed to appear or (iii) if the informant deliberately
refuses to reside with the petitioner.

(Dinesh Kumar Singh, J)

siddharth/-

U		T	
---	--	---	--

