

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35187 of 2016

Arising Out of PS.Case No. -180 Year- 2016 Thana -DALSINGHSARAI District- SAMASTIPUR

=====

Om Prakash Kapari @ Om Prakash Kapri @ Om Prakash son of Mohan Kapri,

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Manish Kumar-2, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-08-2016

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 341/323/379/498A/504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep her as wife with full dignity and honour. A statement to that effect has been made in paragraph no.12 of the petition which reads as follows:-

"That the petitioner is the husband of the informant

and being husband he is ready to keep her with full dignity and honour"

It is further submitted that similar was the stand of the petitioner before the learned Court below, which gets reflects from the impugned order.

On instruction, learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner but the petitioner has not made any effort to get the issue reconciled.

Both sides agree to appear before the learned court below on 19th September, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year 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 ACJM, Dalsinghsarai, Samastipur, in connection with Dalsinghsarai P.S. Case No.180/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed

by 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)

Ashwini/-

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