

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.37062 of 2016**

Arising Out of PS.Case No. -190 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Ashok Chaudhary @ Ashok Choudahry, son of Narayan Chaudhary,  
resident of village Tilhata, P.S. Wazirganj (Gankuppa), district Gaya  
..... Petitioner

Versus

1. The State of Bihar  
2. Urmila Devi, W/O Ashok Chaudhary, resident of village tilhata, P.S.  
Wazirganj (Gankuppa) district Gaya ..... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Ajay Kumar Sinha, Adv.  
For the Opposite Parties : Mr. Sunil Kumar Pandey, APP 141

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

2      29-08-2016                      Heard the learned counsel for the petitioner and the State.

The petitioner, being the husband of the informant, apprehending arrest in a case registered under Sections 147, 149, 341, 323, 498A, 504 and 506 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

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

On instruction, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 16 of the petition, which reads as follows :

“That the petitioner is very poor person he is labourer, working out side of State, at Punjab and he always keep his wife with full dignity and honour.”

The learned counsel for the petitioner submits that similar stand was taken by the petitioner in the Court below,

which appears from the impugned order.

Considering the present stand of the petitioner, above named, 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 Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Wazirganj (Tankuppa) P.S. Case No. 190 of 2016 to the satisfaction of Sri Jigar Sah, Judicial Magistrate, 1st Class, Gaya, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

Let the learned Court below issue notice to the informant and on her appearance the petitioner will take the informant 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) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned Court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

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