

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41016 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -KHAGAUL District- PATNA

=====

Sanjeev Chaudhary, aged about 30 years, S/o – Sri Ganesh Chaudhary, R/v – Dharhara, P.S. – Punpun, Distt. – Patna at present resident of village – Tenant in the house of Ram Sakal Singh at Jai Prakash Nagar, P.S. – Jakkanpur, Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 20-09-2016

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/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 alleged by the informant that at the time of marriage it was projected by the petitioner family that he is a Mechanical Engineer but ultimately the informant came to know that the petitioner is an unemployed and alcoholic.

It is submitted by learned counsel for the

petitioner that the petitioner admits his marriage with the informant and petitioner has degree of B.tech but he is unemployed. It is further submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 12 of the petition, which reads as follows:-

“That the informant is a pregnant lady and the petitioner is ready to keep his pregnant wife with well 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 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 Sub-divisional Judicial Magistrate, Danapur in connection with Khagaul P.S. Case No. 100 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)

DKS/-

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