

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42096 of 2016

Arising Out of PS.Case No. -283 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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1. Vikash Kumar @ Vikash Kumar Sharma S/o Braj Kishore Sharma
Resident of Village- Karbasin, P.S. Sadar, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Awantika Rai Sharma@Puja at Present Resident of Muhalla- Vishnu
Nagar, (Ara), Distt Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-09-2016 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 offence punishable under Sections 323,341,379 and 498A/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted 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 the aforesaid effect has been made in paragraph no.7 of the petition which reads as follows:

“ That the petitioner is husband and ready to keep his wife with full dignity.”

It is further submitted that similar was the stand of the petitioner before the learned court below. The petitioner has also filed Matrimonial Case No. 256 of 2016 for restitution of conjugal rights.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner. Both petitioner and the informant agree to appear before the learned court below on 20.10.2016 when the petitioner will take the informant to keep her 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 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bhojpur at Ara in connection with Mahila P.S. Case No. 283 of 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 the learned court below in three eventualities – (i) if the

matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)

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