

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44978 of 2016

Arising Out of PS.Case No. -23 Year- 2016 Thana -MAHILA P.S. District- SEKHPURA

1. Ranjeet Paswan @ Ranjeet Kumar Paswan son of Basant Paswan resident of Village- Karki, P.S.- Ariyari, District- Sheikhpura. at present resident of Mohalla Mainin Dhanbad, P.S.- Pataki, District- Dhanbad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Advocate

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-10-2016 Heard learned counsel 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 149, 323, 498A, 307, 504, 506 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 7 of the petition which reads as

follows:-

“That being husband petitioner is ready to keep his wife (informant) with full dignity and maintain her as per his capacity subject to co-operation of the his wife (informant).”

Similar was the stand of the petitioner before the learned court below. It is further submitted that petitioner has filed Matrimonial Suit No. 37 of 2016 with a prayer for restitution of conjugal life.

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 Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura Mahila P.S. Case No. 23 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 within six months 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)

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