

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41796 of 2016

Arising Out of PS.Case No. -261 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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Ranjan Kumar Singh Son of Ravindra Prasad @ Jitendra Singh
..... Petitioner/s

Versus

1. The State of Bihar.
2. Riya Kumari @ Kajal Kumari, D/o Shiv Kumar Singh
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate
For the Opposite Party/s : Mr. Smt Indu Kumari Srivastava, APP

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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 case registered for the offences punishable under Sections 498A/506/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant. The petitioner has filed Matrimonial Suit No.97/2016 on 30.03.2016 and, thereafter, on 29.06.2016, the present FIR was lodged. The petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition which reads as follows:-

"That the petitioner has no grievance against his wife and he is ready to keep her with all honour and dignity..."

It is further submitted that similar was the stand of the petitioner before the learned Court below but the reconciliation failed due to the intervention of the of the mother of the informant, and the informant is also ready to resume the conjugal life.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur, Ara, in connection with Bhojpur Mahila P.S. Case No.261/2016 , subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. 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 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.

Ashwini/-

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(Dinesh Kumar Singh, J)