

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25281 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -MAHILA P.S. District- BHAGALPUR

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Rohit Sah Son of Dayal Sah Resident of Village- Abjuganj, PS Sultanganj,
District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 21-07-2016

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, 506 of the Indian Penal
Code and 3/4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner 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 that effect has been made in paragraph 6 of the petition, which reads as follows:-

“That the petitioner is ready to keep the informant (Nisha Devi) as a wife and give her full support for living full dignity and honour.”

It is further submitted that the similar was the stand of the petitioner before the learned court below. Though, the impugned order reflects that the reconciliation has filed subsequent non-appearance of the petitioner.

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, Bhagalpur in connection with Bhagalpur (Mahila) P.S. Case No. 04 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)

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