

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24046 of 2016

Arising Out of PS.Case No. -77 Year- 2015 Thana -MAHILA P.S. District- MUZAFFARPUR

=====

Deep Prakash Jaisawal son of Ram Kumar Chaudhary Resident of village -
Mahmadipur, P.O. Mahmadipur, P.S. - Mohiuddin Nagar, Dist -
Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjai Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nitya Nand Tiwary (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-06-2016 Heard learned counsels for the petitioner, informant and
the State.

The petitioner being the husband of the informant is
apprehending arrest in a case registered for the offences
punishable under Sections 498A, 342, 341, 323, 504 and 506/34 of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition
Act.

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

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the informant and is ready to
keep the informant as wife with full dignity and honour. A
statement to that effect has been made in para 19 of the petition

which reads as follows:-

“That it is respectfully submitted that petitioner is still ready to keep her with respect and dignity.....”

It is further submitted by learned counsel for the petitioner that the petitioner filed Matrimonial Suit No. 125 of 2015 for restitution of conjugal right but after receiving the notice, the informant filed Complaint Case No. 2803 of 2015 levelling accusation under Sections 498A, 406, 420, 377, 376/511, 354, 324, 380, 504, 506 and 120B/34 of the IPC and Section 3/4 of the Dowry Prohibition Act which is pending for enquiry but thereafter the present FIR has been registered on 26.11.2015.

Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 5th of July, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate cum Sub Judge, 7th, Muzaffarpur in connection with Mahila P.S. Case No. 77 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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.

(Dinesh Kumar Singh, J)

Amrendra/-

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