

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6393 of 2016**

Arising Out of PS.Case No. -63 Year- 2015 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

Pradhan Ram son of late Bishuni Ram

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Kunti Devi wife of Pradhan Ram

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Uday Chandra Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      09-02-2016                      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 offences punishable under Sections 323, 498A/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.

From perusal of impugned order, it appears that the neither the petitioner appeared before the learned court below nor filed any affidavit with regard to keeping the informant as wife with full dignity and honour.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

*"12. That it is categorically stated here that petitioner is ready to keep and maintain his wife with her full dignity and respect."*

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, Kaimur at Bhabua in connection with Bhabua Mahila P.S. Case No.63/2015, 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)