

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12045 of 2016

Arising Out of PS.Case No. -69 Year- 2015 Thana -MAHILA PS District- JAMUI

Mukesh Das S/o Ramaya Das resident of village - Teliadih, Police Station -
Jhajha, District - Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

For the Opposite Party/s : Mr. Mukesh Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

05/ 16-05-2016

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 323, 341, 307, 498A/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

The petitioner and the informant are present in the Court.

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 16 of the petition, which reads as follows:-

“That the petitioner is ready to keep her as legally wedded wife with full dignity and honour.”

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner but earlier also the petitioner gave similar undertaking but never made sincere effort to get the issue reconciled.

Both sides agree to appear before the learned court below on 6th of June, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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, Jamui in connection with Jamui Mahila P.S. Case No. 69 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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