

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18738 of 2016

Arising Out of PS.Case No. -85 Year- 2015 Thana -BHEJA District- MADHUBANI

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Saroj Mukhiya, son of Ram Sevak Mukhiya, resident of Village-
Lahban(Bhagata), P.S.-Bheja, District-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Devi, wife of Suraj Mukhiya, resident of Village-
Lahban(Bhagata), P.S.-Bheja, District-Madhubani, at present
Kanchan Devi, daughter of Sitaram Mukhiya, resident of Village-
Bhagata, P.S.-Bheja, District-Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-04-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 147, 323, 342, 379, 380, 504, 506, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and snatching gold jewellery and ornaments.

It is submitted by learned counsel for the petitioner on instruction that 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 9 of the petition which reads as follows:-

“That the petitioner is ready

to keep the informant/complainant(Opposite Party
No. 2) with full dignity and honour.”

Considering the aforesaid stand of the
petitioner, let the petitioner, above named, in the event of his
arrest or surrender before the Court below within a period of 12
weeks from today, be released on provisional anticipatory bail
for one year on furnishing bail bond of Rs. 10,000/-(ten
thousand) with two sureties of the like amount each to the
satisfaction of learned Judicial Magistrate, 1st Class,
Jhanjharpur, Madhubani in connection with Bheja P.S. Case
No. 85 of 2015, G.R. No. 1714 of 2015.

Let learned Court below issue notice to the
informant and fix a date for her appearance. On appearance,
the petitioner will take the informant to her matrimonial house
to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the
petitioner will be confirmed by the learned Court below in three
eventualities (i) On substantial restoration of the matrimonial
harmony within a period of one year (ii) If the informant fails to
appear before learned Court below (iii) If the informant is
reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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