

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24742 of 2016

Arising Out of PS.Case No. -72 Year- 2015 Thana -GAYA KOTWALI District- GAYA

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Deoraj Tiwari @ Deoraj Kumar son of Late Ramesh Chandra Tiwari
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 14-06-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner being husband of the informant apprehends
his arrest in connection with Kotwali Police Station Case No. 72
of 2015 registered for the offences punishable under Sections
498A, 406/34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry
Prohibition Act.

The marriage of petitioner with the informant was
solemnized on 03.05.2013 and the informant gave birth to a child
on 01.05.2014 out of the aforesaid wedlock but the informant is
said to be put into cruelty and torture by the petitioner and others
due to non -fulfillment of dowry demand.

Submission on behalf of the petitioner is that petitioner
is still ready to keep the informant with full honour and dignity but

the informant herself does not want to reside with the petitioner.

Considering the facts and circumstances as well as submissions of the parties, this anticipatory bail petition stands disposed of with direction to petitioner to surrender before the Chief Judicial Magistrate, Gaya in connection with Kotwali P.S.Case No. 72 of 2015 within four weeks from the date of receipt/ production of a copy of this order and if petitioner does so, the concerned court shall release the petitioner on provisional bail for the period of three months on furnishing bail bonds of Rs. 3000/- with two sureties on his own satisfaction and after releasing the petitioner, the concerned court shall issue notice to the informant fixing date for conciliation and shall take all possible steps to patch up the dispute of the parties.

However, it is made clear that if the concerned court succeeds in his attempt, the provisional bail granted to the petitioner shall be confirmed by the concerned court itself, but if the concerned court fails in his attempt due to rigid and non co-operative approach of the petitioner, the provisional bail granted to him shall not be confirmed by the concerned court and in that event petitioner shall be taken into custody by the concerned court. It is needless to say that if the concerned court fails in his attempt due to rigid and non co-operative approach of the informant, the

concerned court shall confirm the provisional bail granted to the petitioner.

(Hemant Kumar Srivastava, J)

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