

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37088 of 2016

Arising Out of PS.Case No. -105 Year- 2016 Thana -DEEPNAGAR District- NALANDA
(BIHARSHARIFF)

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1. Sunil Kumar son of Shyam Kishore Prasad resident o village - Sathopur,
Police Station - Deep Nagar, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Verma

For the Opposite Party/s : Mr. Braj Kishore Prasad

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

2 29-08-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being husband of the informant is languishing in custody since 2.6.2016 in a case registered under Sections 307 and 498A/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands and making attempt to cause burn injury.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and the petitioner is ready to keep the informant as

wife with full dignity and honour. Statement to that effect has been made in paragraph 10 of the petition which reads as follows:

“That the petitioner is always ready to keep the informant as his wife with full dignity, but she herself does not want to live with the petitioner.”

More over, the petitioner has filed Matrimonial Case No. 277 of 2015 for restitution of conjugal rights.

Learned counsel for the informant submits that the informant is ready to accept the above offer of the petitioner.

In the circumstances, let the above named petitioner be released on provisional bail for three months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Nalanda, Bihar Sharif, in connection with Deep Nagar P.S. Case No. 105 of 2016.

The learned court below will fix a date for appearance of the petitioner and the informant within a period of four weeks from the date of release of the petitioner when it is submitted that 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

the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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