

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28001 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -PARSA District- SARAN

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Dhurv Mahto @ Dhurp Mahto

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-07-2016

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 341, 323, 504 and 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of the dowry demand. It is alleged that two years prior to the lodging of the present case, the petitioner and his brother caused fracture injury to the informant.

Learned counsel for the petitioner submits that there is nothing on record to suggest that any injury was ever caused to the informant. It is further submitted that the 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 12 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant with full dignity and honour.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 JM, 1st Class, Chapra in connection with Parsa P.S. Case No. 30 of 2016, 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.

(Dinesh Kumar Singh, J)

Amrendra/-

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