

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32103 of 2016

Arising Out of PS.Case No. -227 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

Kamal Pushkar @ Kamal Pushkar Pandey S/o Sitaram Pandey resident of
Village- Bajid Pur, P.S.- Wena, Dist- Nalanda.

.... Petitioner

Versus

The State of Bihar

.. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Adv.
Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Sri Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 01-08-2016

Heard learned counsel for the parties.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under section 498A, 506/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and he is ready to keep the informant with full dignity and honour. Statement to that effect has been made in paragraph 8 of the petition. It is further submitted that similar stand was taken by the petitioner before the learned court below but the offer of the

petitioner was not accepted by the informant, which gets reflected from the impugned order passed by the learned Sessions Judge, Bhagalpur.

Considering the present stand of the petitioner, let the abovenamed 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Bhagalpur in Kahalgaon P.S. Case No. 227/2015, subject to the conditions as laid down under section 438(2) of the 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 the 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)

Surendra/-

U			
---	--	--	--

