

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29486 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -KHAJEKALA District- PATNA

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Pankaj Kumar Son of Late Uday Poddar Resident of Mohalla - Ashok
Chakra Gali, Nehru Children Park, Khajekala, Police Station Khajekala,
District - Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Bhanu Pratap Singh

For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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

2 21-07-2016 Heard learned counsels for the petitioner and the

State.

Petitioner being the husband of the informant is
apprehending his arrest in a case registered for the offences
punishable under Sections 498A/34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner
that the petitioner admits his marriage with the informant and is
ready to keep the informant with full dignity and honour. A
statement to this effect has been made in Para-11 of the petition,
which reads as follows:-

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

It is further submitted that the matter was sent for reconciliation in the court below, but the same failed as the informant did not agree to live with the petitioner and agreed for mutual divorce, which has been reflected from the impugned order.

It is further submitted that the petitioner is still 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 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 learned Sub-Divisional Judicial Magistrate, Patna City in connection with Khajekala Police Station Case No. 47 of 2016, 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 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)

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