

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28017 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -PURANHIA District- SHEOHAR

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Abhimanuya Kumar Singh @ Abhimanya Kumar Singh son of Manoj Singh resident of village Barahi Mohan, P.S. Purnahiya, District Sheohar

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Singh wife of Abhimanuya Kumar Singh D/o late Surendra Singh at present village Basantgadhwa P.S. Purnahiya District Sheohar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari(APP)

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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, 342, 323, 307 and 498A 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.

Learned counsel for the petitioner submits 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 8 of the petition which reads as follows:-

“That it is also submitted that the petitioner is

ready to keep the opp. Party no.2 with full respect and dignity.”

It is further submitted that similar was the stand of the petitioner before the learned court below.

It appears from the impugned order that though, the petitioner was ready to keep the informant as wife with full dignity and honour but on the pretext of others the petitioner failed to reconcile the issue.

It is further submitted that the petitioner will make all effort to reconcile the issue.

Considering the inconsistent stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for three 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 SDJM, Sheohar in connection with Purnahiya P.S. Case No. 15 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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