

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50060 of 2015

Arising Out of PS.Case No. -221 Year- 2015 Thana -KUDRA District- BHABHUA (KAIMUR)

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Pintu Kumar Maurya Son of Vikrma Singh, R/o Village & P.O. -
Pachilakhi, P.S. - Durgawati, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sima Kumar, wife of Pintu Kumar Maurya, d/o Ramkeshwar Singh, r/o
village - Pachilakhi, P.S. - Durgawati, District - Kaimur at Bhabua, at
present R/o Village - Rampura, P.O. - Miwad, P.s. - Kudra, District -
Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 29-03-2016 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 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 submitted by learned counsel for the petitioner that marriage between the petitioner and the informant is admitted. The petitioner and the informant jointly filed Matrimonial Suit No. 727 of 2015 before the Principal Judge, Family Court, Dwarka, New



Delhi with a prayer for divorce, though, it was wrongly recorded in the order dated 30.10.2015 that it was filed before learned Principal Judge, Family Court, Kaimur at Bhabua. The petitioner is present in the court. The petitioner is ready to withdraw the same. It is further submitted that the petitioner is now ready to keep the informant as wife with full dignity and honour, though, statement to that effect has not been made in the petition. Similar is the statement of the petitioner.

Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 18th of April, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 Judicial Magistrate, 1st Class, Kaimur at Bhabua in connection with Kudra P.S. Case No. 221 of 2015, subject to the conditions as

laid down under Section 438(2) Cr.P.C.

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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