

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50923 of 2015

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Dilip Kumar Baranwal @ Guddu Kumar Son of Mahendra Prasad Baranwal
resident of village - Baraht, P.S. Barahat, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar
2. Swati Devi Wife of Dilip Kumar Baranwal, Daughter of Kapildeo Prasad Baranwal resident of village - Kawakole (Rani Bazar), P.S. Kawakole, District - Nawadah

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. C.Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

05/ 15-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A, 323, 341, 504/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant but due to the cruel attitude of the informant the father of the petitioner has earlier filed Informatory Petition No. 269 of

2014 as well as Complaint Case No. 602 of 2015 against the informant and thereafter the present case was filed.

The petitioner and the informant are present in the Court.

It is further submitted by learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour, though, statement to that effect has not been made in the petition.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner but she is apprehensive due to the cruel attitude of the petitioner.

Both sides agree to appear before the learned court below on 18.04.2016 when the petitioner will take the informant to keep her as wife with dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Nawada in connection with Nawada Mahila P.S. Case No. 26 of 2015, subject to the conditions as laid

down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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