

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.53926 of 2015**

Arising Out of PS.Case No. -20 Year- 2015 Thana -KAUAKOL District- NAWADA

Subodh Kumar Son of Mahavir Mahto. resident of Village- Pupou, P.S.  
Kawakole, District- Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Kedar Prasad Kushwaha, Son of Late Yamuna Mahto, of Village Bari Gulni, P.S. Dhamaul (Pakri Brawan) District- Nawada.

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

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

03/ 07-04-2016

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, 380, 379 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 and 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. It is further submitted that the petitioner has filed Matrimonial Suit No. 18 of 2012 with a prayer for divorce on 19.01.2012 and thereafter the present case has been filed.

Counsel for the informant submits that the informant accepts the offer of the petitioner.

Both sides agree to appear before the learned court below on 25<sup>th</sup> 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 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 Judicial Magistrate, Ist Class, Nawada in connection with Kowakole P.S. Case No. 20 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)**

DKS/-

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