

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39317 of 2016

Arising Out of PS.Case No. -49 Year- 2016 Thana -MAHILA PS District- BUXAR

Deo Kumar Chaurasiya son of late Deo Muni Chaurasiya.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Sri Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-09-2016

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, 323, 504, 506, 498A and 406/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that the marriage between the petitioner and informant was performed on 26.04.2016 whereas the FIR was lodged on 22.07.2016 which reflects the hurried manner in which the informant has lodged the present FIR. The petitioner is ready to keep the informant as wife with full dignity and honour,

statement to that effect has been made in para 13 of the petition which reads as follows:-

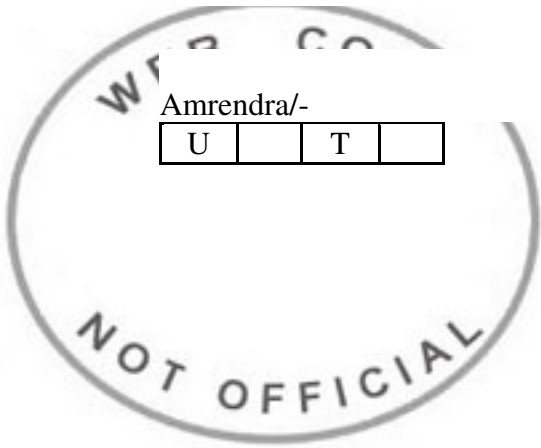
“That the petitioner who is husband of the informant is always ready to keep and maintain his Teacher wife with his old age mother.....”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six 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, Buxar in connection with Buxar Mahila P.S. Case No. 49 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 when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant failed to appear or (iii) if the informant deliberately

refuses to reside with the petitioner.



Amrendra/-

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(Dinesh Kumar Singh, J)