

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44488 of 2016

Arising Out of PS.Case No. -139 Year- 2016 Thana -KHIJARSARAI District- GAYA

Niranjan Kumar S/o Ramdahin Prasad, Resident of village – Panhari, P.S. –
Khizersarai, District – Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Priti Kumari W/o Niranjan Kumar, Resident of village – Panhari, P.S.
Khizersarai, District – Gaya At present residing at D/o Suresh Prasad,
Village – Gannu Bigha, P.S. – Chandauti (Chakand O.P.), District –
Gaya.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 06-10-2016

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 Sections 498A 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 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. Statement to that effect has been made in paragraph 8 of the petition, which reads as follows:-

“That the petitioner is the husband of the informant and has not demanded any kind of dowry or torturing with the informant and always ready to keep the informant with full honour and dignity.”

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 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 Additional Chief Judicial Magistrate-IIIrd, Gaya in connection with Khizersarai P.S. Case No. 139 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 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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