

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39918 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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1. Angad Rai Son of Late Bharat Rai Resident of Village- Bhatpurrawa, P.S.- Kudhani, District- Kaimur (Bhabua)	 Petitioner
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Versus

1. The State of Bihar	 Opposite Party
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Appearance :

For the Petitioner : Mr. Sushant Praveer, Adv.

For the Opposite Party : Mr. Manoj Kumar, APP 168

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-09-2016

The petitioner, being the husband of the informant apprehending arrest in a case registered under Sections 498A, 323, 341, 406, 504 and 34 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

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

The learned counsel for the petitioner submits 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 the aforesaid effect has been made in paragraph no. 8 of the petition, which reads as follows :

“That it is most humbly submitted that the petitioner is still ready to keep his wife with full dignity and honour but the informant herself does not want to joint the company of the petitioner, reason best known to her.”

Considering the present stand of the petitioner, above named, he 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 six weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Mahila P.S. Case No. 42 of 2016 to the satisfaction of the Additional Chief Judicial Magistrate, Rohtas at Sasaram, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

Let the learned Court below issue notice to the informant and on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned Court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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