

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38615 of 2016

Arising Out of PS.Case No. -58 Year- 2016 Thana -DURAULI District- SIWAN

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1. Mahendra Pandit S/o Late Shyam Bihari Pandit,
2. Lalti Devi, W/o Late Shyam Bihari Pandit. Both R/o village- Bhitauli,
P.S.- Darauli, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh

For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant's daughter is apprehending arrest in a case registered for the offence punishable under Sections 498A and 323 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner admits his marriage with the informant's daughter and is ready to keep her as wife with full dignity and honour.

Statement to the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows:

“ That the husband of the victim is still ready to keep his wife with full dignity and honour when she will come. ”

It is further submitted that the informant has filed compromise petition before the learned court below.

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Siwan in connection with Darauli P.S. Case No. 58 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 daughter of the informant and 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) if the matrimonial harmony is substantially restored or (ii) if the informant’s daughter fails to appear before the learned court below or (iii) if the informant’s daughter deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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