

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26551 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Vimal Kumar @ B.P. Son of Akshaibar Sharma Resident of village -
Paiyan, Police Station Sonhan, District - Kaimur

.... Petitioner/s

Versus

1. The State of Bihar
2. Meera Devi Wife of Vimal Kumar @ B.P. Resident of village - Paiyan,
Police Station Sonhan, District - Kaimur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pathak, Advocate

For the Opposite Party/s : Mr. Yogendra Kr.Singh(App)

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

ORAL ORDER

5 15-11-2016 Heard learned counsel 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, 307/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand and making attempt to cause burn injury.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has

been made in para- 8 of the petition which reads as follows:-

“That the petitioner is only son of his parents, who respect his wife with full dignity and love but she is not paying respect to him of her desire, without wife the petitioner cannot lead his matrimonial life.”

Similar was the stand of the petitioner earlier when vide order dated 30.08.2016 this Court granted provisional anticipatory bail till 07.11.2013. The said order was passed on submission on behalf of the informant that the informant is ready to accept the offer of the petitioner. Both sides agreed to appear before the learned court below on 19th of September, 2016 when petitioner was to take the informant to keep her with full dignity and honour.

It appears from the subsequent orders of the learned court below that on 19th of September, 2016 both sides could not appear.

However, it is submitted by the learned counsel for the petitioner that petitioner filed an application on 15.10.2016 reiterating his stand, before the learned court below, to keep the informant as wife with full dignity and honour.

The petitioner and informant are present in the Court.

It is jointly submitted that both sides are still

ready to resume the conjugal life as they are ready to go together from this Court itself.

It is further submitted by the learned counsel for the petitioner that bail bond of the petitioner has not been cancelled.

In the circumstances, the provisional bail of the petitioner is extended till 23rd of January, 2017.

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.

With the modification of the order dated 30.08.2016 the application is disposed of.

(Dinesh Kumar Singh, J)

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