

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.13580 of 2016

Arising Out of PS.Case No. -295 Year- 2015 Thana -SURSAND District- SITAMARHI

Vishwanath Kumar @ Vicky @ Vishwanath Shroff @ Vicky Kumar Shroff
Son of Vijay Prasad Shroff resident of Village- Sursand, PS Sursand,
District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shalini Kumari@Mona Kumari D/o Ajay Prasad resident at ward no.
18, Kapraul Road, Sitamarhi.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Raj Ballabh Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 04-08-2016

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 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, though, statement to that effect has not been made in the petition, but similar was the stand of the petitioner before the learned court below when the learned court below directed both sides to appear before the learned Magistrate.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 16th of August, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for four 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 Chief Judicial Magistrate, Sitamarhi in connection with Sursand P.S. Case No. 295 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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