

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3583 of 2016

Arising Out of PS.Case No. -96 Year- 2015 Thana -KAMTAUL District- DARBHANGA

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1. Ramesh Sah son of Asheshar Sah, Resident of Village- Behta, Police Station- Khajauli, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bharti Kumari wife of Ramesh Shah, D/o Rajendra Sah, Resident of Village- Mohammadpur, Police Station- Kamtaul, District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Anil Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offence punishable under Sections 498A,323,504 and 506/34 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 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. 6 of the petition relevant portion of which reads as follows:

“ That the petitioner is husband of the informant (opposite party no. 2) and ready to keep the informant with full dignity and honour.....”.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 CJM Darbhanga in connection with Kamtaul P.S. Case No. 96 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 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.



Anil/-

(Dinesh Kumar Singh, J)

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