

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12130 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -HASANGANJ District- KATIHAR

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1. Binod Kumar son of Bimal Parihar Resident of Village -Kajri PS
Hasanganj, District Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sugni Devi Wife of Bind Kumar, Daughter of late Shivilal Parihar
resident of Village- Kajri, PS Hasanganj District Kaimur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar
For the Opposite Party/s : Mr. Bharat Lal(App)

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

2 14-03-2016 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 323,307 and 498A/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. 13 of the petition the relevant portion of which reads as follows:

“That the petitioner always ready to keep his wife with full honour and dignity.....”

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, Katihar in connection with Hasanganj P.S. Case No. 3 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 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.

(Dinesh Kumar Singh, J)

Anil/-

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