

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13411 of 2016

Arising Out of PS.Case No. -157 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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Dhananjay Kumar Rai @ Dhananjay Rai, son of Sripat Narayan Rai,
resident of Village and P.O.-Mukharain, P.S.-Kuchhila, District-Kaimur at
Bhabhua

.... Petitioner/s

Versus

1. The State of Bihar
2. Ani Devi @ Pammi, wife of Dhananjay Kumar Rai @ Dhananjay Rai, daughter of Ranjay Mishra, resident of Village and P.O. Sonbarsa, P.S.-Charpokhari, District-Bhojpur at Ara

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ras Bihari Thakur

For the Opposite Party/s : Mr. Vinod Shankar Modi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-03-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 341, 498A, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition which reads as follows:-

“That, it is stated that

informant does not want to live with the petitioner

whereas the petitioner wants to keep her with honour

and dignity”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Ara, Bhojpur in connection with Mahila P.S. Case No. 157 of 2015.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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