

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30460 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -KATORIA District- BANKA

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Pappu Yadav, son of Ritlal Yadav, resident of Village- Badashan P.S
Katoria, District- Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Satya Nand Shukla

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

2 09-08-2016

Heard learned counsel for the parties.

The petitioner being the husband of the daughter of the informant is apprehending his arrest in a case registered for the offences punishable under sections 498A/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 after two years of the marriage.

It is submitted by the learned counsel for the petitioner that for the similar accusation of torture Complaint Case No. 480/2016 has been filed by the daughter of the informant. It is further submitted that the petitioner admits his marriage with the informant and he is ready to keep the informant with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:

"That the petitioner happens to be husband of the daughter of the informant and is ready to keep with full dignity and honour."

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for six 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, Banka in Katoria P.S. Case No. 42/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. 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, (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Surendra/-

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