

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27346 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -RAUTARA District- KATIHAR

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Anil Mahto @ Anil Singh Son of Banarsi Mahto Resident of Village -
Sadalpur Khurd, P.S. - Rautara, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi daughter of Badri Prasad Mahto, Wife of Anil Mahto Resident
of Village - Sadalpur Khurd, P.S. - Rautara, District - Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Adv.

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-07-2016 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 offences punishable under Sections 498A and 323/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the 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 11 of the petition which reads as follows:-

“That the petitioner is ready to keep his wife with

full dignity, love, care and affection.”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Routara P.S. Case No. 26 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 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 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)

Amrendra/-

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