

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45624 of 2016

Arising Out of PS.Case No. -127 Year- 2016 Thana -ROHTAS District- SASARAM (ROHTAS)

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Rajendra Singh Son of Ajay Singh, Resident of Village Kashigawa, P.S.-
Rohtas, District- Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Rusali Kumari, D/o Ganesh Shaw, resident of Village- Kalyanpur
Banjari, Joda Mandir, P.S.- Rohtas, District- Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-10-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498(A), 342, 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture after three days of the marriage for non-fulfilment of Rs.,1,00,000/- and motorcycle.

It is submitted by learned counsel for the petitioner on instruction that petitioner performed love marriage, hence, demand of dowry appears to be unreasonable. Petitioner is ready to keep the informant. A statement to that effect has been made in para 6 of the petition which reads as follows :-

“ That neither the petitioner nor any other family

members tortured the informant rather it was she who always disturbed the family in various way and in continuation she herself is not agreeable to come and stay with the petitioner whereas, this petitioner is eager and ready to keep the informant with him.”

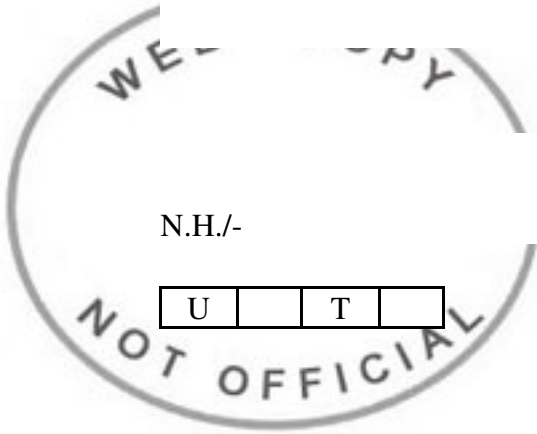
It is submitted by learned counsel for the informant that informant is ready to accept the offer of the petitioner.

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 six months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Rohtas at Sasdaram in connection with Rohtas P.S. Case No.127 of 2016.

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)