

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32999 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -SALKHUA District- SAHARSA

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PAMPAM SAH Son of Upendra Sah

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Smt. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-08-2016

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 341, 323, 504, 498A, 494/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and performing second marriage.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and he is ready to keep her as wife with full dignity and honour, a statement to that effect has been made in paragraph 11 of the petition, which reads as under :-

"That the petitioner submits that he is always ready to keep her with full dignity and honour."

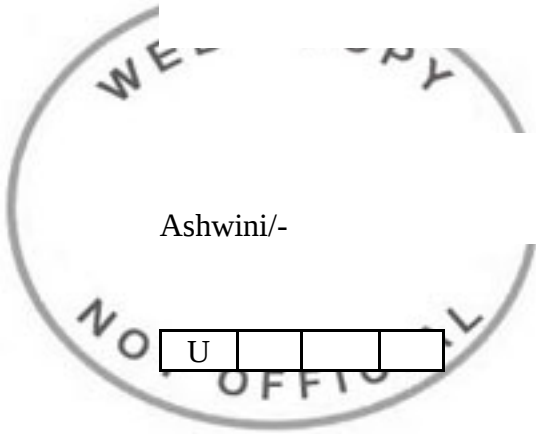
It is further submitted that the issue has been reconciled between the parties and both the petitioner and the informant are residing together. A compromise petition to that effect has been filed before the learned Court below, which has been brought before this Court by way of annexure-1. A statement to that effect has been made in paragraph 12 of the petition, which reads as under :-

"That the petitioner submits that joint compromise petition filed by the parties."

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail provisionally for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa, in connection with Salkhua P.S. Case No.68/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below, in the event, if the informant appears before the learned Court below and admits that

she is residing with the petitioner, otherwise the petitioner will
surrender and pray for regular bail.



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(Dinesh Kumar Singh, J)