

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.462 of 2016

Arising Out of PS.Case No. -122 Year- 2015 Thana -MANIYARI District- MUZAFFARPUR

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Arjun Pandit son of Ram Janam Pandit resident of Village- Ratnauli, P.S.-
Maniyari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shobha Devi, D/o Lalbahadur Sahni, Resident of village – Ratnauli, P.S.
Maniyari, District – Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 05-05-2016

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband 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 4 of Dowry Prohibition Act.

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

The notices were issued to the informant-opposite party no. 2 vide order dated 05.01.2016. The office note dated 04.05.2016 reflects that the ordinary process of notice was received by opposite party no. 2 personally, the service report is at Flag 'A', but none is appearing on behalf of opposite party no. 2.

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

“That the petitioner is ready to keep his wife with full dignity and respect.”

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, West Muzaffarpur in connection with Maniyari P.S. Case No. 122 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The present order will not preclude the informant to resume conjugal life. If such application is filed by the informant before the learned court below then the petitioner will appear and take her to keep her with dignity and honour.

(Dinesh Kumar Singh, J)

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