

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40110 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -PATRAKARNAGAR District- PATNA

Rishikesh Ranjan

.... Petitioner/s

Versus

1. State of Bihar

2. Chandan Kumari, daughter of Dinanath Prasad

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-01-2016

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341/323/498A/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.

In pursuance to order dated 28.08.2015 petitioner and the informant opposite party no.2 are present in the Court.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 16 of the petition which reads as follows:-

"16. That the petitioner was keeping the informant with all care, comfort, dignity and honour, and is still ready to keep the informant

with all care, comfort, dignity and honour."

Learned counsel for the petitioner further submits that the present case was registered on 10.02.2015 and, thereafter, the informant has filed Matrimonial Suit No. 504 of 2015 on 05.05.2015 with a prayer for divorce. The same has been brought on record as annexure-2 to the petition.

On instruction, learned counsel for the informant submits that the offer of the petitioner is not acceptable to the informant as she is apprehensive due to past conduct of the petitioner.

Considering the present stand of the petitioner, since the offer of the petitioner is not acceptable to the informant and the informant has filed matrimonial suit for divorce, let the above named petitioner be released on anticipatory bail, 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 Judicial Magistrate, 1st Class, Patna in connection with Partakar Nagar P.S. Case No.49/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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