

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45521 of 2016

Arising Out of PS.Case No. -33 Year- 2016 Thana -MAHILA P.S. District- SEKHPURA

Deepak Kumar, S/o Umesh Tanti, resident of village- Sahgajipur, Police
Station- Narhat, District, Nawada

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sri Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 19-10-2016

Heard learned counsel 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 Section 498A, 494/34
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 and performing second marriage.

It is submitted by learned counsel for the
petitioner that petitioner admits his marriage with the
informant and accusation of performing second marriage
is false. Statement to that effect has been made in para- 7
of the petition which reads as follows:

“That, allegation of second
marriage is false and evidence came in
court of investigation.”

The petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 8 of the petition which reads as follows:-

“That, petitioner is ready to keep the informant as a wife with dignity but she does not want to live with petitioner.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 Chief Judicial Magistrate, Sheikhpur in connection with Sheikhpura (Mahila) P.S. Case No. 33 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within six months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to

reconcile the issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)