

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57675 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -MAHILA PS District- JAMUI

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Bhola Paswan son of Baldeo Paswan resident of Village- Bhairoganj, Police
Station Bhairoganj, District- Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Hemanti Devi W/o Bhola Paswan, D/o Gurucharan Paswan, village –
Raichor, P.S. Nawadih, P.S. Chandramandih, District – Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Mr. Raj Kishor Singh (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 09-05-2016

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 323, 307, 149, 498A of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of dowry demand and making assault after 11 years of
the marriage.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
informant but since there is no issue out of the wedlock, hence, the

petitioner performed second marriage. The petitioner is still ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

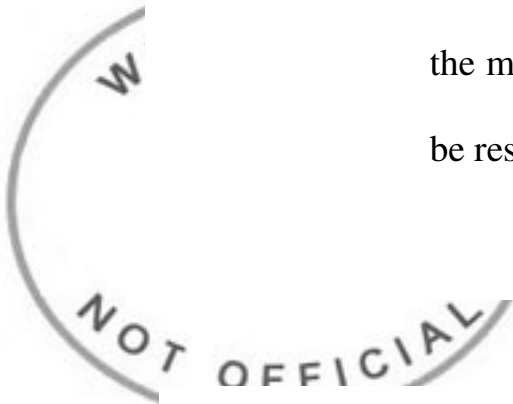
“That the petitioner is always ready to keep her wife with full dignity and honour.”

Counsel for the informant submits that in spite of acknowledging about second marriage of the petitioner the informant is ready to resume conjugal life provided she is kept with dignity and honour.

Both sides agree to appear before the learned court below on 30th of May, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for three 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 Sub-divisional Judicial Magistrate, Jamui in connection with Jamui Mahila P.S. Case No. 62 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on substantial restoration of the matrimonial harmony or if the matrimonial harmony could not be restored due to the latches on the part of the informant.



(Dinesh Kumar Singh, J)

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