

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40126 of 2016

Arising Out of PS.Case No. -95 Year- 2016 Thana -SHERGHATI District- GAYA

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Santosh Yadav Son of Jageshwar Yadav, resident of Village- Ghoraghat,
P.S. Dobhi, Dist- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. S. Jamil Akhtar
For the informant : Mr. Sanjeev Kumar, Adv.
For the State : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-09-2016 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 Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her 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 the petitioner is ready to keep his wife with full honour and dignity and assure this Hon’ble

Court for smooth conjugal relationship.”

It is further submitted that similar was the stand of the petitioner before the learned court below which gets reflected from the impugned order.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 20th of October, 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 one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Sherghati, Gaya in connection with Sherghati Dobhi P.S. Case No. 95 of 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 three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the

informant failed to appear or (iii) if the informant deliberately
refuses to reside with the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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