

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30508 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

Amit Kumar Son of Moti Lal Sah, Resident of Village- Kolhua,
Paigamberpur, P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ruchi Kumari, D/o Suresh Prasad Keshari, Resident of Village- Sayin Mahabir Chowk, P.O.- Kanti, District- Muzaffarpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-07-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner seeks bail in connection with Kanti P.S. Case 90 of 2016 registered for the offence punishable under Sections 498A/34 of the Indian Penal Code.

The prosecution case, as lodged by the wife, Ruchi Kumari, is that her marriage was solemnized with the petitioner on 08.05.2007 and out of wedlock one child Aryan Raj has been born. Since two years, her husband and his family members were torturing her to bring dowry and on non-fulfilment of demand of dowry, they assaulted and turned her out from the house.



It has been submitted by the learned counsel for the petitioner that no such offence has been committed and the informant has been living with her in-laws happily, but the informant's father is interfering with the matrimonial affairs of the informant and the petitioner. He further submits that he is ready to keep his wife in her matrimonial house with full dignity and honour.

However, learned A.P.P. for the State opposes the prayer for bail, but has no objection if the petitioner keeps his wife with full dignity and honour.

Considering the stand of the petitioner, let the petitioner above named be released on provisional bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Kanti P.S. Case No. 90 of 2016.

Let the petitioner appear before the learned Court below, who will issue notice to the informant and on her appearance, petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner shall be confirmed



by the learned Court below in three eventualities:

- (i) If the matrimonial harmony is substantially restored or
- (ii) if the complainant fails to appear before the learned Court below or
- (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Nilu Agrawal, J.)

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