

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31217 of 2017

Arising Out of PS.Case No. -141 Year- 2012 Thana -LAXMIPUR District- JAMUI

=====

Umesh Vishwakarma Son of Baleshwar Vishwakarma, resident of village –
Gaura, P.S. Laxmipur, District Jamui

.... Petitioner/s

Versus

1. The State of Bihar
2. Arti Devi W/o Umesh Vishwakarma, Village – Gaura, P.S. Laxmipur,
District Jamui. At present D/o Ganga Vishwakarma, Village –
Mohanpur, P.S. Laxmipur, District – Jamui.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, 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 Laxmipur P.S.
Case 141 of 2012, arising out of Complaint Case No. 890C of
2012 registered for the offence punishable under Sections 498A
and 307 of the Indian Penal Code and Sections 3/ 4 of the Dowry
Prohibition Act.

The prosecution case, as lodged by the wife of the
petitioner, Arti Devi, is that her husband along with other family
members has tortured her for non-fulfilment of demand of dowry.

It has been submitted by the learned counsel for the
petitioner that provisional bail was granted to the petitioner by this



Court in Cr. Misc. No. 7414 of 2013 and he was ready to keep his wife with full dignity and honour, but she wanted the petitioner to stay in her parental house as Gharjamai, as such, he could not take her to matrimonial house, hence, bail granted to him earlier was cancelled by the learned Court below on 16.04.2014. He submits that he is still ready to keep his wife in her matrimonial house with full dignity and honour.

However, learned A.P.P. for the State has no objection, if petitioner keeps his wife with full dignity and honour in her matrimonial house.

Considering the facts and circumstances, 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 Sub-Divisional Judicial Magistrate, Jamui in connection with Laxmipur P.S. Case 141 of 2012, arising out of Complaint Case No. 890C of 2012.

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 or.
- (iv) If the informant/complainant is agreeable for
One Time Settlement, which will be honoured
by the petitioner.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

