

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51128 of 2016

Arising Out of PS.Case No. -351 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

=====

Chandan Paswan, Son of Late Naresh Paswan, Resident of Mohalla-
Manpur Gandhinagar, P.S.- Muffasil, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Prity Devi, Wife of Chandan Paswan, D/o Suresh Paswan, Village-
Jarhara, P.S.- Bodhgaya, District- Gaya.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. Sri Amrendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

6 22-05-2017 Heard both sides.

The petitioner apprehends his arrest in Muffasil P.S.
Case No.351 of 2016 registered for the offences punishable under
Section 498A/34 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

The informant-wife made allegation that the
petitioner, being the husband, subjected her to all sorts of torture
for non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the
petitioner is always ready to keep his wife. The petitioner filed a
petition for restitution of conjugal rite and petitioner is still ready
to keep his wife.



Notice was issued to the informant. Her brother received the notice, but even then informant did not appear.

Considering the facts aforesaid and the fact that the petitioner is willing to keep his wife, the petitioner is directed to surrender in the learned court below within four weeks from the date of receipt/production of a copy of this order and on such the learned court below shall enlarge the petitioner on provisional bail for six months, after issuing notice to the informant, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya in connection with Muffasil P.S. Case No.351 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. If the petitioner keeps his wife properly, the learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife properly the court below shall pass order on provisional bail of the petitioner in accordance with law immediately after expiry of six months.

(Prabhat Kumar Jha, J)

Arvind/-

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

