

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36811 of 2016

Arising Out of PS.Case No. -507 Year- 2015 Thana -GOPALGANJ CITY District- GOPALGANJ

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Anuj Shrivastava, Son of Rajendra Shrivastava, resident of Village- Harihara, P.S.- Fulwariya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Anu Devi, wife of Anuj Shrivastav, D/o Late Ajit Kumar Sinha, R/o Village- Katwa, District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 20-01-2017

Heard learned counsels for the petitioner, State and the informant..

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 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.

The impugned order reflects that the assault on the informant gave birth to premature child.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the



informant and birth of a child and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:-

“That the petitioner is ready to keep his wife with full dignity and honour if she ready to live with the petitioner.”

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 27th of February, 2017 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 six 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 Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 507 of 2015, 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 in three eventualities:- (i) on



substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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