

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28986 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -MAHILA P.S. District- MUNGER

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Satyavan Gautam, Son of Kamleshwari Mehta, Resident of Village-
Maharna, P.S.- Dharhara, District- Munger.

.... Petitioner

Versus

1. The State of Bihar
2. Anshu Kumari, D/o Guneshwar Prasad Singh @ Guneshwar Mandal,
Resident of Village- Birnaugha, P.S.- Shambhuganj, District- Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-08-2017 Heard learned counsels for the petitioner, informant and

the State.

The petitioner, being the husband of the informant, is
apprehending arrest in a case, registered for the offences
punishable under Sections 498A/34 of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant got married
with the petitioner on 10.03.2016, but subsequently, the informant
found the petitioner in objectionable condition with his sister-in-
law, Nisha Devi and on protest being made, she was being
assaulted and was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that



the petitioner admits his marriage with the informant, having no issue. The petitioner is still ready to keep the informant as wife with full dignity and honour, though, statement to that effect has not been made in the petition. The petitioner has also filed Matrimonial Suit No. 122 of 2016, with a prayer for restitution of conjugal right. However, from the nature of accusation levelled by the informant and her submission made before the Family Court it appears that she is not inclined to reside with the petitioner, rather it appears impossible that the informant will resume the conjugal life.

However, learned counsel for the informant submits that in spite of the nature of accusation she levelled and the submission made in the matrimonial suit, she is ready to resume the conjugal life and is ready to accept the offer of the petitioner.

It is jointly submitted that both sides agree to appear before the learned Court below on 11th of September, 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 arrest or surrender before the learned Court below within a period of twelve weeks from today,



on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Munger in connection with Munger Mahila P.S. Case No. 07 of 2017, 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 or (ii) if the informant fails to appear before the learned Court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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