

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73662 of 2018

Arising Out of PS. Case No.-305 Year-2017 Thana- CHIRAIYA District- East Champaran

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Rama Shankar Paswan, Son of Kamal Paswan, Resident of Village- Parewa,
Police Station- Shikarganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Devi, wife of Rama Shankar Paswan, D/o – Ram Chandra Hajari,
at Present Resident of Vilalge – Parsa, P.S. - Dhaka, Dist. - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, as per the First Information Report that the informant Priyanka Devi got married with the petitioner Rama Shankar Paswan on 13.03.2012, subsequently they were blessed with a male child, but thereafter, further dowry demand of jewellery and motorcycle was made and on non-fulfillment of the same, torture was inflicted.



It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is still 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 still ready to keep the informant/opp. party 2 with full honour and dignity.”

It is further submitted that similar was the stand of the petitioner before the learned Court below which gets reflected from the impugned order.

Considering the present stand of the petitioner, 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sikrahana at Dhaka, East Champaran, Motihari in connection with Chiraiya (Shikarganj) P.S. Case No. 305 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned Court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to her matrimonial house to keep her as



wife with full dignity and honour.

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)

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