

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36692 of 2018

Arising Out of PS. Case No.-224 Year-2017 Thana- PAHARPUR District- East Champaran

Tirpurai Sharma, S/o Surendra Sharma, R/o Vill.- Amwa Vrit , P.S.- Paharpur,
Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Sri Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned counsels for the petitioner and the
State.

The petitioner, being the husband of the informant, is apprehending arrest in a case registered for the offences punishable under Sections 323, 307, 498A, 504, 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case got initiated on the basis of written report submitted by Punam Devi to the Station House Officer, Paharpur Police Station is to the effect that the marriage of the informant was solemnized with the petitioner on 18.05.2014, but subsequently, for non-fulfillment of dowry demand of Rupees Twelve Lacs and five Kathas of land, the torture was inflicted.

It is submitted by learned counsel for the petitioner



that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour, a statement to that effect has been made in para 10 of the petition which reads as follows:-

“..... he is ready to keep her with full honour and dignity”

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 bond of RS.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran, in connection with Paharpur P.S. Case No.224 of 2017, subject to the conditions as laid down under Section 438(2) 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 keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by 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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