

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35892 of 2018

Arising Out of PS. Case No.-9 Year-2018 Thana- KALYANPUR District- East Champaran

Amit Kumar @ Amit Kumar Mahto, Son of Nageshwar Mahto, Resident of Village- Siswan Sob, Police Station- Kalyanpur, District- East Champaran at Motihari.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjana

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

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

The prosecution case as per the written report of Kiran Kumari, dated 17.01.2018, submitted to the Station House Officer, Kalyanpur Police Station is to the effect that the informant Kiran Kumari performed love marriage with the petitioner on 09.08.2017, but when she went to her matrimonial house, further demand of dowry of Rs. 1,00,000/- and motorcycle was made and due to non-fulfillment of the same,



the informant was tortured and she was driven out from her matrimonial house.

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. Statement to that effect has been made in paragraph no. 9 of the petition, which reads as follows:-

“That the petitioner is still ready to keep the informant with full honour and dignity as per his capability.”

It is submitted by learned counsel for the informant that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned Court below on 9th of July, 2018 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest/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 like amount each to the satisfaction of learned ACJM-IX, East Champaran at Motihari in connection with Kalyanpur P.S. Case No. 9 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.



The provisional bail of 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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