

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67843 of 2018

Arising Out of PS. Case No.-259 Year-2018 Thana- BANIAPUR District- Saran

Uday Singh, Son of Mokhtar Singh, Resident of Village- Berui, near Mandir,
Police Station- Baniapur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-12-2018 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 341, 323, 498A, 504 and 379/34 of the IPC and Section 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Shilpi Singh, dated 12.08.2018 submitted to the Station House Officer, Baniapur Police Station, is to the effect that the informant was married with the petitioner on 02.03.2016. After ten days of marriage, further dowry of Rs. 3,00,000/- was demanded and for non-fulfillment of the same, torture was inflicted and ultimately, the informant 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. He is still ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 8 of the petition, which reads as follows:-

“That it is stated that the petitioner is ready to keep the informant as his wife with dignity and honour.”

It is further submitted that similar was the stand of the petitioner before the learned Court below, which gets reflected from the impugned order, but it is the informant who deserted the petitioner.

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/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-XI, Saran at Chapra in connection with Baniapur P.S. Case No. 259 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Let the learned Court below issue notice to the informant and on her appearance, the petitioner will be obliged to comply the undertaking given before this Court.

The provisional bail of the petitioner will be



confirmed by the learned Court below in the three eventualities,
(i) if the matrimonial harmony is substantially restored, or (ii) if
the informant failed 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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