

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6241 of 2018

Arising Out of PS. Case No.-187 Year-2017 Thana- MAHILA P.S. District- Nalanda

Sarvan Kumar @ Sarvan Prasad @ Madhurendar Kumar, Son of Late
Baleshwar Garai @ Baleshar Prasad, Resident of Village-Gosaipur, P.S.-
Chiksaura, Dist.-Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. RAJENDRA SINGH SHASTRIJI

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2018 Heard learned counsels for the petitioner and State.

The petitioner, being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323, 313, 504 and 506/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Bina Rani dated 30.10.2017, submitted to the Station House Officer, Mahila Police Station is to the effect that marriage between the petitioner and the informant was performed on 11.03.2016, but after the marriage, further demand of Rupees Five Lacs as dowry was made and due to non-fulfillment of the same, the informant was tortured and assaulted by all the accused persons, as a result of which, the pregnancy of the informant got



terminated.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant. The petitioner is ready to keep the informant as wife with full dignity and honour. A classified statement to that effect has been made in paragraph no.15 of the petition. Relevant portion of the same reads as follows:-

“That, the petitioner is ready to live with the informant (wife) with some condition.....”

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 S.D.J.M., Biharsharif, Nalanda in connection with Mahila P.S. Case No. 187 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Learned Court below will issue notice to the informant for her appearance and will make effort to reconcile the issue between the parties.

The provisional bail of the petitioner will be confirmed by



the learned Court in three eventualities (I) if the issue is reconciled between the parties, 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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