

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37628 of 2018

Arising Out of PS. Case No.-61 Year-2017 Thana- MAHILA PS District- Khagaria

Niraj Kumar, Son of Sri Jagdish Tiwari, Resident of Village- Kulhariya, P.S.-
Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Murli Manohar Singh

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2018 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/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of further dowry demand of Bolero Vehicle. It is also alleged that the petitioner administered some medicine to the informant for getting her pregnancy terminated.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and he



is ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph no. 11 of the petition which reads as follows:-

“That the petitioner is always ready to keep the wife with full dignity and honour but she refused to do so.”

It is further submitted that the petitioner has also filed Matrimonial Suit No. 95 of 2017 for restitution of conjugal life.

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 SDJM, Khagaria in connection with Khagaria Mahila P.S. Case No. 61 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The learned Court below will issue notice to the informant to appear and on appearance of the informant, the learned Court below will make effort to reconcile the issue between the parties.

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)

Amrend/Deepak

U		T	
---	--	---	--

