

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73651 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- SIMRI District- Buxar

Rahul Kumar @ Mukul, S/o Sri Suresh Prasad, R/o Vill-Jamira, P.S.-Arrah (M), District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Kamal Deo Sharma, Adv.
For the Opposite Party/s	:	Mr.Sri Ramchandra Singh, APP
For the Informant	:	Mr. Amrendra Kumar Singh No.1, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsels for the petitioner, informant and the State.

The petitioner, being the husband of the informant is apprehending arrest in a case registered for the offence punishable under Section 498A 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 Suman Kumari to the Station House Officer, Simri Police Station to the effect that informant's marriage was performed with the petitioner Rahul Kumar on 07.05.2017. Subsequent to the marriage further dowry demand of Rupees Two Lac was made for purchase of a piece of land at Ara and due to non-fulfillment of the same, torture was



inflicted upon the informant.

Learned counsel for the petitioner submits 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 9 of the petition which reads as follows:-

“That the petitioner is the husband of the informant and he is still ready to keep her with full dignity and with love and care to the informant.”

Learned counsel for the informant submits that though the informant is ready to accept the offer of the petitioner, but she is apprehensive due to the repeated threats given by the petitioner, of performing second marriage.

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, Buxar, in connection with Simari P.S. Case No.31/2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides agree to appear before the learned Court



below on 16th of January, 2019 when 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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