

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70073 of 2018

Arising Out of PS. Case No.-47 Year-2018 Thana- LADANIA District- Madhubani

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Mahesh Yadav, S/o Ram Ratan Yadav, Resident of Village Chiknauntwa,
P.S.- Ladaniya, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Samira Devi, W/o Mahesh Yadav, D/o Ritlal Yadav, at present resident of Village- Dhanjaiya, P.S. Ladaniya, Dist.- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-12-2018

Heard learned counsels for the parties.

The petitioner being the husband of the complainant, is apprehending arrest in a case registered for the offences punishable under Sections 341,323,328, 498A and 120B of the IPC and Sections 3 and 4 of the Dowry Prohibition Act.

The prosecution case is that the informant was married to the petitioner but subsequently torture was inflicted for non-fulfillment of further dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant and her child with due dignity and honour. Statement to that effect has been made in paragraph 11 of the petition which reads as follows:-



“That it is relevant mention here that husband
of the informant is ready to keep her.”

Considering the present stand of the petitioner, let the
petitioner above named be released on provisional anticipatory
bail for six months in the event of arrest or surrender within six
weeks on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of the like amount each to the satisfaction of
the learned ACJM-IV, Madhubani in connection with Ladaniya
Case No. 47of 2018 subject to the conditions laid down in
Section 438(2) of the Cr.P.C.

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)

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