

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10981 of 2019

Arising Out of PS. Case No.-393 Year-2018 Thana- TRIVENIGANJ District- Supaul

Manish Kumar, Son of Satyendra Yadav, R/o-Village- Maheshua,
Babhangama , P.S- Tribeniganj, Dist.- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar and Anr Bihar
2. Pushpa Kumar Wife of Manish Kumar D/o Sukhdeo Yadav , R/o village-
Baljora, P.S- Tribeniganj, Dist.- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 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, 379, 504, 506 and 498A of the IPC.

The prosecution case, as per the written report of Pushpa Kumari, dated 10.10.2018, submitted to the Station House Officer, Tribeniganj Police Station, is to the effect that the marriage of the informant was performed with the petitioner in the year 2008, but subsequent to the marriage, further demand of dowry of Rs. 5 lacs and a car was made and due to non-fulfillment of the same, torture was inflicted upon the informant



by the petitioner and other in-laws family members of the informant. Ultimately, on 01.09.2018, the informant was assaulted by all the accused persons and after snatching her all belongings, she was was driven out from the matrimonial house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with informant and he is ready to keep the informant 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 it is stated that petitioner is ready to keep his wife with all respect and love with proper honour.”

It is further submitted that the similar was the stand of the petitioner before the learned Court below, which reflects from the impugned order and the petitioner has also filed Matrimonial Suit No. 70 of 2018 with a prayer 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 Addl. Chief Judicial Magistrate-1st Class, Supaul in



connection with Tribeniganj P.S. Case No. 393 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 take the informant to keep her as wife with full dignity and honour.

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 deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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