

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15769 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- MAHILA P.S. District- Bhojpur

RAVI RANJAN RAI @ RAVI RANJAN KUMAR RAI Son of Avadh Bihari
Ray Resident of Village - Kori, P.S.- Dinara, Distt - Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shobha Devi Wife of Ravi Ranjan Rai @ Ravi Ranjan Kumar Rai, D/o Lal Mohan Singh At present of Resident of Village - Kanai, P.S.- Charpokhari, Distt - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2019 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 offences punishable under Sections 498A,379/34 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 of Sobha Devi submitted to the Station House Officer, Mahila Police Station, Bhojpur, Ara is to the effect that the marriage of the informant was performed with the petitioner on 10.05.2005. But subsequent to the marriage, further dowry demand of a motorcycle and Rupees One Lac was demanded and due to non-fulfillment of the same, torture



was inflicted upon the informant by the petitioner and other in-laws family members.

The marriage between the petitioner and the informant is admitted.

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 6 of the petition which reads as follows:-

“..... and he is ready to keep her with himself without any term and condition maintaining her full honour and dignity.....”

It is further submitted that similar was the stand of the petitioner before the learned Court below. A statement has been made in paragraph no.9 of the petition to the effect that the petitioner has not performed second marriage, which reads as under :-

“That the petitioner respectfully states and submits that neither he has solemnized his second marriage nor any illicit relation with other lady”

Learned counsel for the informant submits that the informant accepts the offer of the petitioner.



Both sides agree to appear before the learned Court below on 27.05.2019 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 SDJM, Ara, Bhojpur in connection with Bhojpur Mahila P.S. Case No. 115 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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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