

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21674 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- KALYANPUR District- East Champaran

Shailendra Pandey @ Shailendra Kumar Pandey, Son of Ratan Pandey
Resident of Village - Pipra Khem, P.S.- Kalyanpur, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Singh

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-04-2019 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 498A/34 of the IPC.

The prosecution case is to the effect that the marriage of the informant was performed with the petitioner about eight years prior to the lodging of the present case, but subsequent to the marriage, further demand of dowry of a motorcycle 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. It is further alleged that all the accused persons tried to kill the informant by causing burn injury.

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. 10 of the petition, which reads as follows:-

“That the petitioner is still ready to keep his wife with full love, respect and dignity....”

It is further submitted that similar was the stand of the petitioner before the learned Court below, which gets reflected from the impugned order.

Learned APP submits that the thrust of accusation is against the petitioner.

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 CJM, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 02 of 2019, 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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