

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73685 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- EKMA District- Saran

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Santosh Pandit @ Santosh, S/o Hiralal Pandit, Resident of Village- Milki,
P.S.-Ekma, District-Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 05-03-2019 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 498(A) of the IPC and under Sections 3/4 of Dowry Prohibition Act.

The prosecution case, as per the written report of Neetu Devi submitted to the Station House Officer, Ekma Police Station, is to the effect that the informant was married with the petitioner on 29.05.2014. Subsequent to the marriage, the informant resided in the joint family house for sometime and thereafter, she was residing with in-law's family members at



Faridabad. Thereafter, further dowry demand of a car was made and due to non-fulfillment of the same, torture was inflicted upon her. It is further alleged that on 10.05.2018 the in-law's family members put a condition before the informant's father that only after payment of Rs.5,00,00/- by the informant, the informant will be allowed to reside in her matrimonial house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant, though the matter was referred to Mediation and Reconciliation Centre of Patna High Court, Patna, vide order dated 09.01.2019, on the joint prayer of the parties, but it appears from the report of mediator at Flag 'A', suggests that the issue could not be resolved between the parties. It is further submitted that the petitioner is ready to keep the informant as his wife with full dignity and honour, but statement to that effect has not been made in the petition.

The petitioner and informant are present in the Court and the informant is willing to accept the offer of the petitioner for resuming the conjugal life. Both sides agree to appear before the learned Court below on 14.03.2019, when the petitioner will take the informant to her matrimonial house and keep her as wife with full dignity and honour.



Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for a period of four 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 **ACJM, Saran** in connection with **Ekma P.S. Case No.103 of 2018** subject to the condition as laid down under 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 conjugal life substantially resumes, 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)

Deepak/Rahul/-

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