

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75046 of 2018

Arising Out of PS. Case No.-28 Year-2017 Thana- MAHILA PS District- Jamui

Rabindra Mahto, S/o Bino Mahto, Resident of Village- Billo, Police Station-
Ramgarh, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2019 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, 504, 379, 509 and 498A/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Mamta Devi, dated 29.05.2017, submitted to the Station House Officer, Jamui Mahila Police Station, is to the effect that marriage between the petitioner and the informant was performed in the year 2008, but subsequently, further dowry demand of Rs. 50,000/- was made and for non-fulfillment of the same, the informant tortured. It is further alleged that on 02.04.2017, the informant was assaulted and her child, jewellery and other



articles were snatched by the petitioner and other in-laws family members.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of two children 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.13 of the petition, which reads as follows:-

“That the petitioner is ready to keep her as a legal wedded wife with full dignity and honour.”

It is further submitted that similar was the stand of the petitioner before the learned court below.

Learned APP submits that 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 SDJM, Jamui in connection with Jamui Mahila P.S. Case No. 28 of 2017, 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 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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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