

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9795 of 2020

Arising Out of PS. Case No.-75 Year-2019 Thana- SAHAJITPUR District- Saran

PAPPU RAM @ PAPU RAM Son of Rameshwar Ram @ Ram Ishwar Ram
Resident of - Bangalipatti, P.S.- Sahajitpur, District - Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi @ Rinku Devi Wife of Pappu Ram @ Papu Ram D/o- Jagdish Ram, Resident of - Bangalipatti, P.S.- Sahajitpur, District - Saran. At present Village - Bariyarpur, P.S.- Bheldi, District - Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Harish Kumar, Adv.
For the Opposite Party/s	:	Ms. Veena Kumari Jaiswal, APP
For the Informant	:	Mr. Sanjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 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 Section 498A, 325 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case as per the written report of Rinki Devi submitted before the S.H.O., Sahajitpur Police Station is to the effect that on 17.06.2019 at 9.00 A.M., the husband and other in-laws family members abused the informant and started assaulting with lathi and danda, causing bleeding injury on her head. It is alleged that the accused persons made further dowry



demand of Rupees Two Lac and due to non-fulfillment of the same, the informant was subjected to torture and assault.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in paragraph no.13 of the petition, which reads as under :-

“That the petitioner being the husband
is always ready to keep the informant (wife)
with full honour and dignity.”

Learned counsel for the informant submits that the informant is apprehensive due to past misconduct of the petitioner. However, she is ready to accept the offer of the petitioner, if the petitioner is ready to keep her with dignity and honour.

Both sides are ready to appear before the learned Court below on 17.03.2020 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties and keeping in view of the fact that the present order will at least save the complainant from destitution and vagrancy and with a lurking hope that the issue between the parties may reconcile in



future, 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 ACJM-VI, Chapra, Saran, in connection with Sahajitpur P.S. Case No. 75 fo 2019, subject to the conditions as laid down under Section 438(2) of the 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.

It is expected from the learned trial Court to make all effort to get the issue mediated between the parties so that the matrimonial harmony could be restored.

(Dinesh Kumar Singh, J)

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