

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66170 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- MAHILA P.S. District- Nalanda

Arvind Kumar Son of Karoo Mahto Resident of Village- Kornawan, P.S.-
Wena, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Beauty Kumari Wife of Arvind Kumar R/o - Kornawan, P.S.- Wena, District-
Nalanda. A/P D/o Birendra Prasad R/O Madhopur, P.S.- Silao, District-
Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner, learned
counsel for the informant-opposite party no. 2 and learned APP
for the State.

The petitioner, being the husband of the informant, is
apprehending his arrest in a case registered for the offences
punishable under Sections 498A, 323, 504, 506/34 of the Indian
Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case as per the written report of
Beauty Kumari submitted to the Station House Officer of
Biharsharif Mahila Police Station is to the effect that the
informant was married with the petitioner on 08.04.2016. The
married life between the petitioner and the informant was
cordial for a year after the marriage and coupled was blessed



with a child but subsequently, torture was inflicted upon the informant for non-fulfillment of further dowry demand of Rs.5,00,000/-.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of a child and is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph 13 of the petition, which reads as follows:-

“That the petitioner is always ready to keep his wife with full dignity and safety.”

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before the learned Court below on 20th of March, 2020 when the petitioner will take the informant along with child to her matrimonial house 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 four months in the event of arrest or 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 the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Nalanda at Biharsharif in connection with Biharsharif Mahila P.S. Case No. 67 of 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 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)

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