

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49832 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

1. Shankar Gupta, Son of Sita Ram Sah, resident of village- Sunderpur,
P.S.- Pirpainty, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sulekha Devi, D/o Ram Jee Sah, resident of village- Sunderpur, P.S.-
Pirpainty, District- Bhagalpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate

For the Opposite Party/s : Mr. Manish Kr. 2(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 308/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the

petitioner that the petitioner admits the marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 6 of the petition which reads as follows:-

“That the petitioner is ready to keep her with full dignity and honour. The petitioner is quite innocent and have not committed any offence”.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his 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 Chief Judicial Magistrate, Bhagalpur in connection with Pirpainty P.S. Case No. 52 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the

issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)