

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49087 of 2015**

Arising Out of PS.Case No. -72 Year- 2015 Thana -DUMRA District- SITAMARHI

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Hari Shankar Prasad Gupta @ Harsh Kumar @ Hari Om Kumar @ Hari Shankar son of Yogendra Sah, resident of village- Kumhara Vishanpur P.S.- Dumra, Distt- Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Guria Kumari, Wife of Harishankar Prasad Gupta @ Hariom Kumar @ Harsh Kumar, Daughter of Chandrashekhar Prasad Gupta, Resident of Vill- Veersingpur, P.S.- Kalyanpur, Distt- Samastipur.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rabindra Nath Singh

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      03-11-2015                      Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

In this case, the petitioner is seeking bail in connection with Dumra P.S. Case No. 72 of 2015 registered for offences under sections 341, 323, 307, 379, 504/34 and 498 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Allegation has been made against the petitioner to have demanded dowry, tortured and harassed the informant.

Submission has been made that though the petitioner is the husband, but with regard to allegation of attempt of murder of the informant is omnibus, as there no specific allegation against

the petitioner. It has further been submitted that large number of family members of the petitioner have been made accused in the present case, so much so that he is ready to keep his wife with full security and dignity and is in jail since 31<sup>st</sup> May 2015.

The counsel for the informant submits that they have attempted to kill the informant which is apparently clear from the injury report which has been placed before this Court for perusal.

As the petitioner is running a shop, having sufficient earning, it will be for the ends of justice, the petitioner would pay Rs. 4,000/- per month to the informant by 7<sup>th</sup> of each calendar month.

The order passed in Cr. Misc. No. 35110 of 2015 has been produced before this Court there the Court has granted provisional bail to the in-laws' of the informant and condition has been fixed that they will not interfere into the conjugal life of the informant and her husband and allow to the informant to enjoy her share of property.

Looking to the facts and circumstances of the case, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dumra in connection with Dumra

P.S. Case No. 72 of 2015.

The court below will make an effort for reconciliation.

(Shivaji Pandey, J)

Mahesh/-

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