

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27598 of 2015

Arising Out of PS.Case No. -55 Year- 2015 Thana -NAWANGAR District- BUXAR

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1. Ravi Shankar Prasad Gupta son of Suresh Prasad Gupta resident of village- Garhani, Police Station- Charpokhari, District- Bhojpur , Ara.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 22-07-2015

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

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

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner admits marriage with the informant. On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows :-

“That the petitioner undertakes

before this Hon'ble Court to keep his wife and children with full honour and dignity. “

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 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 the learned Chief Judicial Magistrate, Buxar in connection with Nawanagar P.S. Case No 55 of 2015 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure, 1973.

Let the learned court below issue notice to the informant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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