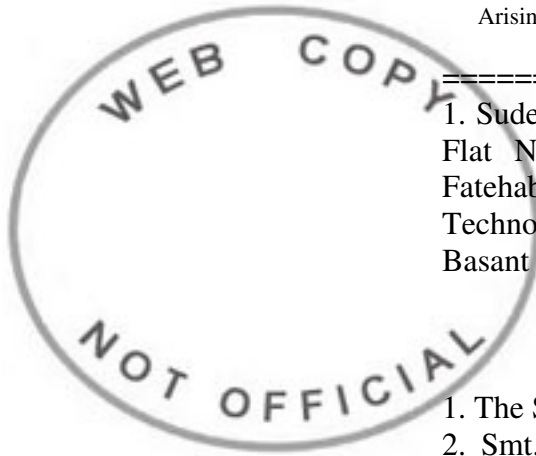


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5178 of 2016

Arising Out of PS.Case No. -30365 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA



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1. Sudeep Gupta, aged about 33 years, S/o Sushil Kumar Gupta resident of Flat No.- 34 IInd Floor, Gulmohar Dynamics, Phase-II Taz Nagar, Fatehabad Road, P.S.- Tazganj, Dist- Agra (U.P.) at present Areeba Technologies (S.A.P. Company) RMZI Con. No.-51 Palace Cross Road, Basant Nagar, P.S.- High Grounds, Banaglore.

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Parul Agarwal, W/o Sudeep Gupta d/o Pawan Kumar Agrawal, resident of Shivam Block, Mansarover Garden Sinha, Library Road, P.S- Kotwali, Dist.- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan
For the Opposite Party/s : Mr. Md.A.Haque (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-02-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

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

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the

complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition the relevant portion of which reads as follows:

“That the petitioner is husband of the complainant and the petitioner is still ready to keep wife (the complainant) with full dignity and all respect.....”

It is further submitted that the petitioner has filed Matrimonial Suit No. 33 of 2015 for restitution of conjugal rights.

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 learned SDJM, Patna in connection with Complaint Case No. 30365 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant 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)

Anil/-

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