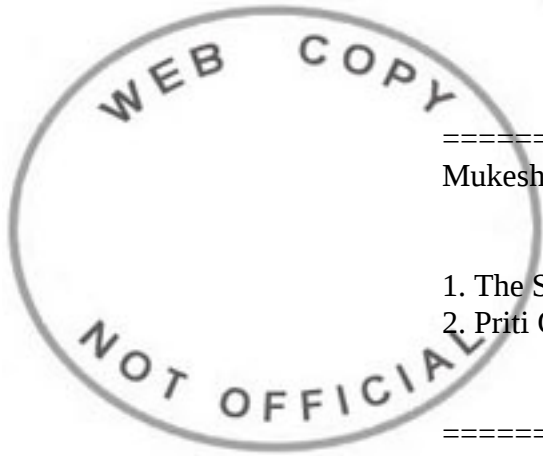




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27615 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

Mukesh Kumar Gupta son of Late Rameshwar Gupta,.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priti Gupta daughter of Ashok Kumar Gupta,

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Sri Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-07-2016 Heard learned counsels for the petitioner and the State.

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

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 11 of

the petition which reads as follows:-

"That, be that as it may, the petitioner has no grievance against his wife, and he, however, undertakes before the Hon'ble Court to keep his wife with full dignity and honour, respect and comfort, safety and security."

It is further submitted that petitioner filed Matrimonial Suit No.81/2016 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th ACJM, Motihari, East Champaran, in connection with Madhuban P.S. Case No.90/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial

harmony is substantially restored (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)

Ashwini/-

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