

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34560 of 2016

Arising Out of PS.Case No. -122 Year- 2016 Thana -GAYA KOTWALI District- GAYA

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1. Anubhav Gyan Srivastava @ Anubhav Gyan, S/o Gyaneshwar Prasad Srivastava, resident of New Colony Dungri, P.S. Chaibasa, District- West Singhbhum (Jharkhand), at present Senior Executive (H.R.) Max Hospital East Block Saket Branch, Delhi Petitioner

Versus

1. The State of Bihar.
2. Akata Verma D/o Sri Tarkeshwari Shankar Verma resident of Mohalla- Maharani Road, Nai Godam, P.S.- Kotwali, District- Gaya Opposite Parties

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Appearance :

For the Petitioner : Mr. Bhaskar Shankar, Adv.
For the Opposite Parties : Mr. Murlidhar, APP 110

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-08-2016 Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail. The petitioner, being the husband of the informant is apprehending arrest in a case registered under Sections 498A and 307 of the Penal Code and 3 and 4 of the Dowry Prohibition Act.

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

It is specifically alleged that co-accused, nandoi of the informant, Manish Srivastava, tried to misbehave with her and her nanad, Garima Srivastava, took her ornaments.

The learned counsel for the petitioner submits that the petitioner is ready to keep his wife with full dignity and honour, statement to the aforesaid effect has been made in paragraph no. 16 of the petition which reads as follows :

“That the petitioner is ready to keep his wife with full dignity and honour.”

Considering the present stand of the petitioner, above named, be released on **provisional anticipatory bail for six months** 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/- (rupees ten thousand) with two sureties of the like amount each in connection with Kotwali P.S. Case No. 122 of 2016 to the satisfaction of the Chief Judicial Magistrate, Gaya, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

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 anticipatory 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 informant fails to appear before the learned Court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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