

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35864 of 2016

Arising Out of PS.Case No. -103 Year- 2014 Thana -AGIAUN District- BHOJPUR

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Amar Dayal Gupta @ Umar Gupta @ Amar Dayal Sah Son of Bhulai Sah
R/o village - Ushra, P.S. Nawa Nagar, District - Buxar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-08-2016

Heard learned counsel for the parties.

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

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and he is ready to keep the informant with full dignity and honour. Statement to that effect has been made in paragraph 14 of the petition. It is further submitted that similar stand was taken by the petitioner before the learned court below but the offer of the petitioner was not accepted by the informant, which gets reflected

from the impugned order passed by the learned Sessions Judge, Bhojpur at Ara.

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for six months, in the event of his 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 Judicial Magistrate, 1st Class, Bhojpur at Ara in Agiaon (G) P.S. Case No. 103/2014, subject to the conditions as laid down under section 438(2) of the 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 the 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)

Surendra/-

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