

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42209 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -MAHILA P.S. District- MADHEPURA

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Vinod Prasad Gupta @ Vinod Kumar Gupta

.... Petitioner/s

Versus

1. State of Bihar,
2. Doli Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Thakur

For the Opposite Party/s : Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-09-2016 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 offence punishable under Sections 498A,341,323 and 504/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

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

On instructions, it is submitted that the petitioner admits his marriage with the informant and birth of two children and though the accusation of torture has been levelled after 13 years of marriage still 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. 13 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, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of four 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, Madhepura in connection with Mahila (Madhepura) P.S. Case No. 19 of 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 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 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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