

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37726 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -GURUA District- GAYA

=====

Guddu Kumar

.... Petitioner/s

Versus

1. State of Bihar,
2. Manisha Kumari

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Uday Chand Prasad

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-08-2016 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 341,323,504 and 498A 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 is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 6 of the petition which reads as follows:

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

It is further submitted that similar was the stand of the petitioner before the learned court below but the informant declined to accept the offer since she was apprehensive due to attempt being made to kill the informant.

Considering the present stand of the petitioner, this court feels inclined that the informant should be given one more chance to reconcile the issue. In that view of the matter, let the above named petitioner 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 six 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 CJM Gaya in connection with Gurua P.S. Case No. 69 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)

Anil/-

U		T	
---	--	---	--