

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40685 of 2016

Arising Out of PS.Case No. -104 Year- 2016 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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1. PRAVEEN KUMAR AGRAWAL @ PRAVEEN KUMAR GUPTA
son of pramod Kumar Agrawal resident of Neel Kamal Market, P.S.-
Bettiah (Town), District-West Champaran

.... Petitioner/s

Versus

1. The State of Bihar Subhash Kumar Gupta, Son of Shyam Bihari Prasad
Priyanka Gupta, Wife of Praveen Kumar Agrawal Daughter of Subhash
Kumar Gupta Both are Resident of Mitra Chawk, P.S.Bettiah Town
District West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2016

The petitioner being husband of the
informant is apprehending his arrest in a case registered for
the offences punishable under Sections 341, 323, 498A, 504,
506/34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that petitioner performed love marriage with the
informant and is ready to keep the informant and the child
with dignity. A statement to that effect has been made in para
12 of the petition which reads as follows:-

“That the petitioner is ready

and willing to keep his wife with him with all dignity.”

It is further submitted that petitioner has also filed Matrimonial Suit No. 87 of 2016 for the restitution of conjugal life.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah in connection with Bettiah Town P.S. Case No. 104 of 2016.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house 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) On substantial restoration of the matrimonial harmony within a period of six months (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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