

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44547 of 2016

Arising Out of PS.Case No. -1470 Year- 2014 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Raju Gupta son of Parash Sah resident of village - Nandan P.S. Dumraon,
District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bihari Lal S/o Late Ram Subhag Prasad
3. Reena Devi D/o Bihari Lal both 2 and 3 R/o Village - Chilhari, P.S. -
Dumraon (Bhojpur O.P.), District - Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 06-10-2016 Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the daughter
of the complainant is apprehending his arrest in a complaint case
wherein process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A of
the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the daughter

of the complainant and is ready to keep the daughter of the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That the petitioner is ready to keep his wife with full respect and dignity and allegation of dowry demand and torture is quite false and concocted.”

Considering the present stand of the petitioner, let the above named 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Buxar in connection with Complaint Case No. 1470(C) of 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 daughter of the complainant on her appearance the petitioner will take the daughter of the complainant 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) on

substantial restoration of the matrimonial harmony; (ii) or if the daughter of the complainant gets reluctant to reconcile the issue; and (iii) or if the daughter of the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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