

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67966 of 2018

Arising Out of PS. Case No.-31 Year-2017 Thana- MAHILA P.S. District- Samastipur

Gauri Shankar Roy son of Narayan Roy, Resident of Village- Bangrahtta, P.S. Singhia, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Smt. Gulnar Begam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

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

The prosecution case as per the written report of Puja Devi submitted to the Station House Officer of Samastipur Mahila Police Station is to the effect that the marriage between the informant and the petitioner was performed on 04.05.2016, but subsequently after 3-4 months of the marriage torture was inflicted upon the informant for demand of further dowry and ultimately, the accused persons drove out the informant from the matrimonial house.

It is submitted by learned counsel for the petitioner



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 that effect has been made in paragraph 6 of the petition, which reads as follows:-

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

It is further submitted that similar was the stand of the petitioner before the learned Court below.

It is submitted by learned counsel for the informant that the informant is apprehensive due to the past conduct of the petitioner, however, she accepts the offer of the petitioner.

Both sides agree to appear before the learned Court below on 16th of January, 2019, when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 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 Additional Chief Judicial Magistrate-II, Samastipur in



connection with Samastipur Mahila P.S. Case No. 31 of 2017,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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