

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37548 of 2018

Arising Out of PS. Case No.-147 Year-2015 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Guddu Dubey Son of Yogendra Dubey Resident of Village - Hardiya, P.S. - Kundwa Chainpur, District East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sonam Devi W/o Guddu Dubey, D/o Arun Choubey Resident of Village - Hardiya, P.S. - Kundwa Chainpur, District - East Champaran, At present residing at Village - Jhaua Ram, P.S.- Dhaka, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Surendra Kishore Thakur
For the Opposite Party/s	:	Mr. Sri Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-06-2018 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498(A) of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The accusation of torture has been levelled against the petitioner after five years of marriage due to non-fulfillment of further dowry demand of she-buffalo.

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



birth of two children. However the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph 9 of the petition, which reads as follows:-

“That it is also submitted that the petitioner is ready to keep the complainant with full respect and dignity.”

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 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 Sub-Divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran in connection with Trial No. 2206 of 2018 arising out of Complaint Case No. C-147 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the



matrimonial harmony is substantially restored, or (ii) if the complainant fails to appear before the learned court below, or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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