

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75909 of 2018

Arising Out of PS. Case No.-172 Year-2018 Thana- SULTANGANJ District- Patna

Parshant Kumar @ Parshant Kumar Gupta @ Chandan Kumar Son of Dilip Kumar Gupta, Resident of Mohalla- B.N.R. More, Ashok Raj Path, Police Station- Sultanganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Khusboo Kumari wife of Parshant Kumar @ Parshant Kumar Gupta @ Chandan Kumar, daughter of Suresh Prasad Gupta, Resident of Mohalla- Rajeev Nagar, Road No. 15, P.S. Rajeev Nagar, District- Patna, At present residing at B.N.R. More, Ashok Raj Path, Police Station- Sultanganj, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Srivastava

For the Opposite Party/s : Mr. Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-12-2018 Heard learned counsel for the petitioner informant and the counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Sultanganj P.S. Case No. 172 of 2018 for the offences under Sections 498A, 341, 323, 385, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Learned counsel appearing on behalf of the petitioner submits that petitioner is ready to keep his wife with full honour and dignity. Referring to the petition filed for restitution of conugal rights he submits that wife is neglecting and the petitioner is always ready to keep his wife with full honour and dignity.

Learned counsel for the informant submits that petitioner is treating his wife with cruelty and as such the informant filed the



instant case.

Learned counsel for the informant further submits that the wife is not interested in sending her husband to jail custody, she is interested in living with her husband. She tenders that she will be one of the bailor in the instant case.

Considering the undertaking given by the petitioner before this Court the Court is inclined to grant provisional bail to the petitioner for six months, in the event of arrest or surrender within one month from today, be released the petitioner on provisional bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Court of Additional Chief Judicial Magistrate-VI, Patna City, in connection with Sultanganj, P.S. Case No. 172 of 2018.

In view of the above, petitioner is required to take his wife to her matrimonial home and keep her with full honour and dignity and after six months the Court below will assess the conduct of the petitioner in order to pass appropriate order on making the provisional bail absolute one of the bailor, should be wife and subject to other conditions as laid down under Section 438 Cr.P.C.

(Anil Kumar Upadhyay, J)

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