

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21167 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- GADHPURA District- Begusarai

SANDEEP KUMAR CHOUDHARY @ SANDEEP KUMAR Son of Shri Praveen Kumar Choudhary @ Praveen Choudhary R/o Village- Rajawari Rajani Chowk, P.S.- K. Hat, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Puja Kumari Wife of Sandeep Kumar Choudhary @ Sandeep Kumar, D/o Bipin Kumar Rai Resident of village- Mortar, P.S.- Gadhpura, District- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mrs.Meena Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned counsels for the petitioner and the State.

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

The prosecution case got initiated on the basis of written report of Puja Kumari submitted before the Station House Officer, Gadhpura Police Station is to the effect that the informant was married with the petitioner on 22.06.2018, but subsequent to marriage, further dowry demand of gold was made and due to non-fulfillment of the same, torture was



inflicted upon the informant.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“.....the petitioner is ready to keep the complainant with full dignity and honour.”

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 twelve 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-Judge-VI-cum-ACJM-IV, Begusarai in connection with Gadhpura P.S. Case No.101 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned Court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant 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 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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