

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20466 of 2019**

Arising Out of PS. Case No.-89 Year-2018 Thana- MAHILA PS District- Buxar

GAURAV KUMAR SETHI Son of Vijay Sethi Resident of Village - Nalband
Toli, P.S.- Buxar Nagar, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navin Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 03-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner being, the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 498(A) and 406/34 of the IPC and Section 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Pratima Keshari submitted to the Station House Officer, Buxar Mahila Police Station, is to the effect that the marriage of the informant was performed with the petitioner on 08.12.2017, but subsequent to the marriage, further dowry demand of Rs. 3,00,000/-, and a motorcycle was made and due to non-fulfillment of the same, torture was inflicted by the petitioner and other in-law family members of the informant.



Learned counsel for the petitioner submits that the petitioner admits his marriage and is ready to keep the informant as wife with full dignity and honour. On 7.09.2018 Vijay Sethi, father of the petitioner filed a informatory petition against the informant to the effect that she wants to enter forcibly in his house. Subsequently, the petitioner also filed a complaint case No. 979(C)/2018 against the informant & her family members with the accusation of assault and snatching of Rs. 90,000/-. It is further submitted that the petitioner also filed Matrimonial suit no. 241 of 2018, which is still pending. However, the petitioner is ready to keep the informant as wife with full dignity and honour. It is further submitted that petitioner is also ready to withdraw the matrimonial suit, if the informant is ready to lead the matrimonial life.

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/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 like amount each to the satisfaction of learned District and Sessions Judge, Buxar in connection with Buxar Mahila P.S. Case No. 89 of 2018 subject to the condition



as laid down under Section 438 (s) of the Cr.P.C..

Let the learned Court below issue notice to the informant and on her appearance, the petitioner will take her to keep 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) 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 deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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