

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21610 of 2019

Arising Out of PS. Case No.-499 Year-2018 Thana- SIWAN CITY District- Siwan

=====

Pawan Kumar Gupta Son of Raj Kumar Gupta Resident of Village -
Ramgulam tola ward no. 11, South of Maharan Pratap Junior High School,
P.S- Deoria, Distt - Deoria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari D/o Late Ravindra Kumar Resident of Village - Anand Nagar,
P.S.- Siwan town, Distt - Siwan.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Pancha Nand Pandit

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-04-2019 Heard learned counsels for the petitioner, informant
and the State.

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

The prosecution case is that the marriage of the informant was performed with the petitioner on 19.04.2016, but subsequent to the marriage, further demand of dowry of a car was made and due to non-fulfillment of the same, torture was inflicted upon the informant by the petitioner and other in-law family members.



Learned counsel for the petitioner submits that the petitioner admits his marriage with informant and he is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 12 of the petition, which reads as follows:-

“That it is humbly submitted that the petitioner is ready to keep the complainant/informant with full honour and dignity”

Learned counsel for the informant submits that similar was the stand of the petitioner before the learned Court below, but the petitioner is in habit of such stand in order to get bail. In fact, the petitioner has no intention to keep the informant as wife, though, the informant is ready to live with the petitioner.

Both sides agree to appear before the learned Court below on 30.04.2019, when the petitioner will take the informant 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 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 S.D.J.M., Siwan in connection with Siwan Town P.S.



Case No. 499 of 2018, arising out of Complaint Case No. 659 of 2018, subject to the condition 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 deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

