

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41578 of 2019

Arising Out of PS. Case No.-238 Year-2018 Thana- DUMRA District- Sitamarhi

GAUTAM THAKUR @ GAUTAM KUMAR @ GUDDU Son of Vishvanath
Thakur Resident of Village - Chakka Rasalpur Ward No.-6, P.S.- Dumra,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-07-2019 This application, for grant of anticipatory bail, arises out of Dumra P.S. Case No. 238 of 2018, disclosing offences under Sections 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the informant and allegation is that the informant after her marriage with the petitioner went with the petitioner to Mumbai but the petitioner and other accused persons started torturing her for demand of dowry of Rs. Two Lakh and her husband also tried to kill her, anyhow she managed to escape from there and returned to her maik.

Submission of learned counsel for the petitioner is that as a matter of fact, the informant is mentally ill, which will appear from annexure – 2, which is a report of psychological assessment of the informant and when the petitioner left her in her maik, this false



case has been lodged.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, petitioner is directed to surrender in the court below on 16.07.2019 and on his surrender, the court below shall release the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Dumra P.S. Case No. 238 of 2018 , subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is further subject to the condition that petitioner will produce all the documents before the Investigating Officer of this case, with regard to his averment that informant is mentally ill and the Investigating Officer shall verify the authenticity of submission of the petitioner and even after that if the charge-sheet is submitted against the petitioner, he will have to surrender in the court below and pray for regular bail.

Accordingly, this application is disposed of.

(Vinod Kumar Sinha, J)

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