

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46243 of 2023

Arising Out of PS. Case No.-60 Year-2021 Thana- MAHILA P.S. District- Bhojpur

VIKASH KUMAR GUPTA Son of Bhudan Sah Resident of village -
Govindpur, P.S. - Shahpur, Distt. - Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari D/o Sri Jay Shankar Prasad, Wife of Vikash Kumar Gupta
Resident of village - Jaj Bazar Bihiya, P.S. - Bihiya, Zila - Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Prabhat Kumar Singh, Advocate
For the State	:	Mr.Khurshid Anwar, APP
For the Informant	:	Mr. Akhileshwar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Mahila P.S. Case No.60 of 2021 registered for the offences punishable under Sections 323, 498(A), 504, 506 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he had tortured her wife-informant by various ways for non-fulfillment of demand of dowry.

4. Learned counsel for the petitioner submits that the



petitioner is ready to keep his wife in his matrimonial home as legally wedded wife with full dignity and care.

5. Learned counsel for the informant submits that the informant is also ready to live with the petitioner.

6. Having regard to the submissions of the learned counsel for the parties that the petitioner is ready to keep his wife-informant in his matrimonial home as legally wedded wife with full dignity and care and that the informant is ready to live with him, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhojpur at Ara in connection with Mahila P.S. Case No. 60 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that as submitted before this Court the petitioner will go to the parental house of the informant within a period of two weeks from today with prior information and shall bring her back to his matrimonial home where both the parties shall stay together peacefully. Breach of this condition shall invite action towards cancellation of bail of



the petitioner.

8. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

9. This application stands allowed.

(Rajeev Ranjan Prasad, J)

arvind/-

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

