

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23438 of 2016**

Arising Out of PS.Case No. -193 Year- 2015 Thana -BIHTA District- PATNA

=====

1. Pintu Goswami @ Pintu Gosai son of Sri Naresh Goswami @ Naresh Gosai, Resident of village + P.O.- Sakadi, P.S.- Koilwar, District- Ara (Bhojpur)

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Lakshmi Kumari wife of Pintu Goswami @ Pintu Gosai, daughter of Sri Ramesh Goswami, At present resident of Mohalla Hariharpur Colony, P.S.- Digha, District- Patna

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Chandra Sahni(App)

=====

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

**ORAL ORDER**

4      29-07-2016                      Heard learned counsel for the petitioner and the State.

Petitioner is languishing in custody since 30.03.2016 in a case registered for the offences punishable under Sections 406, 420, 376, 498A, 120B of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that the petitioner being distantly related to the informant established physical relation and thereafter got married with the informant. Subsequently, the petitioner performed second marriage.

It is submitted by the learned counsel for the petitioner that on conclusion of investigation the Final Report has been submitted under Sections 420, 498A,

494/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act. The petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para-3 of the supplementary affidavit which reads as follows;-

“That it is submitted that the petitioner is ready to keep his wife (informant in this case) and his daughter with full dignity.”

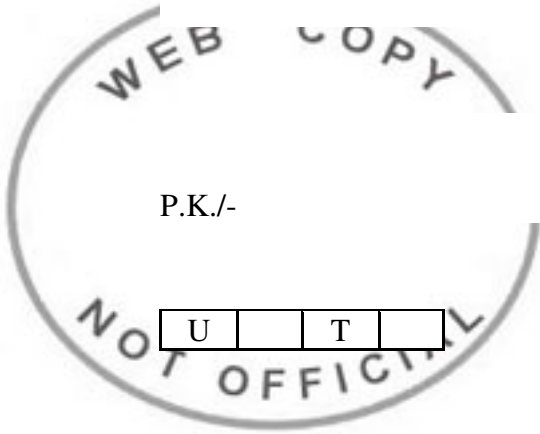
The investigation has already concluded.

It is submitted by the learned counsel for the informant that informant has been cheated. The informant is ready to accept the offer of the petitioner, but the informant has apprehension that such statement has been made only to get bail.

Considering the present stand of the parties and the fact that the charge sheet has not been submitted under Section 376 of the Indian Penal Code, let the above named petitioner be released on provisional bail for four months within a period of twelve weeks from today on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 193 of 2015, arising out of Complaint Case No. 98C of 2015.

The provisional bail of the petitioner will be

confirmed by the learned court below on issue being reconciled between the parties.



**(Dinesh Kumar Singh, J)**