

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44252 of 2014

Arising Out of PS.Case No. -181 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

- =====
1. Raj Kumar Goswami Son of Late Sarju Goswami
 2. Rajmuni Devi Wife of Raj Kumar Goswami
 3. Rajesh Kumar Goswami Son of Raj Kumar Goswami
- All resident of village- Koelwar (Suraundh Colony), P.S.- Koilwar,
District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari D/o Sri Sheonath Goswami resident of village-
Basantpur, Post Office Dehri, P.S.- Chanari, District- Rohtas

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Amitesh Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 17-03-2015

Petitioner nos. 1 and 2 have already been
granted bail vide order dated 16.12.2014.

Heard learned counsels for the petitioner and the
State.

The petitioner no. 3 being the husband of the
complainant is apprehending his arrest in a complaint case in
which processes have been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A of
the Indian Penal Code and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non-

fulfillment of the dowry demand.

On submission of learned counsel for the petitioner on instruction that the petitioner is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in para 10 of the petition, the notices were issued to opposite party no. 2 vide order dated 16.12.2014. Though, opposite party no. 2 has entered appearance but none is appearing on behalf of opposite party no. 2. However, counsel for the petitioner is present.

Considering the aforementioned stand of petitioner no. 3 and statement in para 9 of the petition that the petitioner also filed a case for restitution of conjugal rights, let the above named petitioner no. 3 be released on provisional anticipatory bail for one year in the event of his arrest or 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 the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 181 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the

complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

DKS/-

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