

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.255 of 2016

Arising Out of PS.Case No. -218 Year- 2015 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Lal Babu Goswami @ Karan Goswami S/o Buchun Goswami, resident of
villalge- Hatia, P.S.- Chainpur, District- Bhabua (Kaimur).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suman Devi W/o Lal Babu Goswami D/o Birendra Goswami, resident
of Village- Samhuti, P.S.- Dinara, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Md.Arif (App)

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

03/ 23-02-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
process has 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.

The petitioner and the complainant are present in
the Court.



It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Though, statement to that effect has not been made in the petition. It is further submitted that the petitioner has filed Matrimonial Suit No. 65 of 2015 for restitution of conjugal rights.

It is submitted by learned counsel for the complainant that the complainant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before the learned court below on 9th March, 2016 when the petitioner will take the complainant 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 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, Bikramganj, District - Rohtas in connection with Complaint Case No. 218 of 2015, subject to the

conditions as laid down under Section 438(2) of the Cr.P.C.

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)

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