

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22813 of 2017**

Arising Out of PS.Case No. -857 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-  
MADHUBANI

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Ranjeet Paswan Son of Sri Raj Kumar Paswan, Resident of Village-  
Mahisbara Mainapatti, P.S. Babubarhi, District- Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari Wife of Ranjeet Paswan, D/o Ramjatan Paswan, Resident  
of Village- Mainapatti, P.S. Babubarhi, District- Madhubani. at present  
Residing at Village- Rampatti (Bishara Tola), P.S.- Rajnagar, District-  
Madhubani.

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

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**Appearance :**

For the Petitioner/s : Mr. Gopal Jha

For the Opposite Party/s : Mr. Sri Parmanand Prasad

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

04/ 19-08-2017

Heard learned counsels for the petitioner,  
complainant-opposite party no. 2 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 323, 498A  
of the Indian Penal Code and Sections 3/4 of Dowry Prohibition  
Act.

The prosecution case is that the marriage of the  
petitioner and the complainant was performed on 24.04.2013 but  
subsequently, torture was inflicted for non-fulfillment of further  
dowry demand. On 25.06.2014, all the accused persons assaulted



the complainant, snatched her belongings and ousted her from the matrimonial house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 8 of the petition, which reads as follows:-

*“That it is submitted here that the petitioner is ready to keep the complainant as wife with full of dignity and honour, but it is the complainant who is not ready to live with the petitioner as wife.”*

Counsel for the complainant submits 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 11<sup>th</sup> of September, 2017, 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 six months 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, Madhubani in connection with C.R. Case No. 857 of 2014, 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 by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony or (ii) if the complainant gets reluctant to reconcile the issue or (iii) if the complainant fails to appear before the learned court.

**(Dinesh Kumar Singh, J)**

DKS/-

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