

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70212 of 2018

Arising Out of PS. Case No.-1545 Year-2009 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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Sarwan Yadav, Son of Har Dayal Yadav, Resident of Village- Kurithiya,
Police Station- Brahampur, District- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Reeta Devi, Daughter of Late Sumeshwar Yadav and Wife of Sarwan Yadav,
at present resident of Village- Ramkarhi, Police Station- Shahpur, District-
Bhojpur at Ara, Village- Kurithiya, Police Station- Brahampur, District-
Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a complaint case wherein process has been taken after cognizance being taken for the offences punishable under Section 498A of the IPC.

The prosecution case is that the complainant's marriage was performed with the petitioner in 2004 but when she was scheduled to go to her matrimonial house in 2009, the petitioner started demanding further dowry of HeroHonda motorcycle and buffalo. With the intervention of relatives the complainant was taken to her matrimonial house but subsequently she was driven out of her matrimonial house due to non-fulfillment of the dowry demands.



It is submitted by learned counsel for the petitioner that the complainant is suffering from mental abrasion, inasmuch as she is unable to speak and she has performed second marriage.

Considering the aforesaid facts, let the petitioner above named be released on provisional anticipatory bail for four months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhojpur at Ara in connection with Complaint Case No. 1545 C of 2009 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The learned court below will issue notice to the complainant and on her appearance if she admits that she has performed second marriage, in that eventuality, the provisional bail of the petitioner will be confirmed.

(Dinesh Kumar Singh, J)

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