

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62115 of 2018

Arising Out of PS.Case No. -458 Year- 2017 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN (MOTIHARI)

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Ranjan Baitha, S/o Rambriksh Baitha, R/o Village- Narayan Pakadi, P.S.-
Pipra, Dist- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lakshmi Devi, W/o Ranjan Baitha, R/o Village- Narayan Pakadi, P.S.-
Pipra, Dist- East Champaran at present Lakshmi Devi, D/o Yogendra
Baitha, R/o Village- Chakiya, P.S.- Chakiya, Dist- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Sri Anant Kumar

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

ORAL ORDER

02/ 08-10-2018

Heard learned counsels for the petitioner and

learned APP 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 Section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case as per the complaint petition is that the marriage between the petitioner and the complainant was performed on 26.05.2011. Subsequently, she



gave birth to two children but after some time, the petitioner and in-laws family members started demanding a motorcycle and she was being tortured and driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of two children. It is further submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:-

“That, it is humbly submitted that the petitioner asserts that he has never demanded any dowry from the victim or his family members rather the victim herself pressurized to petitioner to live his parents, on denial of the same the victim lodged the present case with false allegations. Though, he is ready to keep her.”

Considering the present stand of the petitioner, 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, Sadar Motihari, East Champaran in connection with Complaint Case No. 458 of 2017, 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 and on her appearance the petitioner agree to take the complainant to keep her as wife with full dignity and honour.

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; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned Court below.

(Dinesh Kumar Singh, J)

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