

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69694 of 2018

Arising Out of PS. Case No.-654 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Pintu Kumar, S/o Chuman Bari @ Chunamun Bari, Resident of Village-
Kohari, P.S.- Bhabua, District- Kaimur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Meena Kumari, D/o Lalan Bari, W/o Pintu Kumar, Village- Chenari, Indira
Chowk, P.S.- Chenari, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Randhir Kumar No-1

For the Opposite Party/s : Mr. Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-12-2018 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Section 498 A of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case as per the complainant is that
marriage between the petitioner and the complainant was
performed on 19.05.2015. The complainant was kept with
dignity and honour for six months and thereafter further dowry
demand of Rs. 2 Lacs and motorcycle was made and due to



non-fulfillment of the same, torture was inflicted upon her. On 14.03.2017, the accused persons snatched all the belongings of the complainant and driven her out of 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, a statement to that effect has been made in paragraph no.7 of the petition which reads as follows:-

“7. That the petitioner is always tried his best to resolve the dispute and is also ready to keep the complainant with full dignity and honour but it is the complainant who does not agreed to come with the petitioner.”

It is further submitted by the learned counsel for the petitioner that the complainant herself deserted the petitioner which gets reflected from the impugned order.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for a period of four months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **S.D.J.M. Rohtas at Sasaram** in connection with **Complaint Case No. 654 of 2017**, subject to



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

Let the learned Court below issue notice to the complainant for her appearance. 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 by learned Court below in three eventualities (i) if the matrimonial harmony is substantially restored, or (ii) if the complainant fails to appear before the learned court below, or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/Deepak/-
Rahul/-

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