

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5437 of 2019

Arising Out of PS. Case No.-4984 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Navin Mishra @ Naveen @ Nishant Mishra @ Nishant Kumar Mishra @
Naveen Kumar Mishra (m) aged about 33 years, son of Triveni Mishra,
Resident of village- Aanti, Police Station- Aanti, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Priyanka Devi, wife of Navin Mishra, daughter of Shri Suresh Mishra,
resident of village- Hamindapur, Police Station- Sakurabad, District-
Jehanabad (Bihar).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Kumar
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-01-2019 Heard learned Counsels for the petitioner and

learned APP for the State.

The petitioner 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 4 of the D.P. Act.

The prosecution case as per the complaint petition is that
the complainant was married with the petitioner eleven years
prior to lodging of the present complaint case. Subsequently,
further dowry demand of Rs.2,00,000/- was made from her and
due to non-fulfillment of the same, torture was inflicted upon
her, ultimately she was driven out of the matrimonial house.



It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep her as wife with full dignity and honour, statement to that effect has been made in paragraph no.9 of the petition which reads as follows:-

“9.That the husband of the complainant is always ready to live with her wife with full love and affection.”

It is further submitted that similar was the stand of the petitioner before the learned Court below, that the petitioner tried to take the complainant back to her matrimonial house, but the complainant refused to accept the offer, as she was apprehensive about the past conduct of the petitioner, which gets reflected from the impugned order.

Considering the present stand of the petitioner, despite the fact that the complainant declined to accept the offer of the petitioner, let the above named petitioner be released on provisional anticipatory bail for a period of six months, in the event of arrest or surrender before the learned Court below within a period of 12 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 the learned **CJM, Patna (Bihar)** in connection with **Complaint Case No.4984(C) of**



2017, 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 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.

In the circumstances, let the learned Court below made an effort to get the issue mediated.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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