

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4956 of 2019

Arising Out of PS. Case No.-338 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Govind Ram, Son of Awadhesh Ram, aged about 27 years, Male, Resident of
village-Chaknur, P.S.-Samastipur Muffasil, District-Samastipur

... .. Petitioner/s

Versus

1. State Of Bihar and Anr Bihar
2. Sita Devi Wife of Bijendra Ram Resident of village-Narga Jutmil, P.S-
Kalyanur, District-Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner, being the husband of the daughter 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 Sections 498A/34 of the IPC and Section 4 of the Dowry Prohibition Act.

The prosecution case, as per the complaint petition filed by Sita Devi, is to the effect that the marriage of the daughter of the complainant was performed with the petitioner on 24.05.2015. Subsequently, they were blessed with a male child, but thereafter, further demand of dowry of a fridge, a godrej almirah



and cash of Rs. 50,000/- was made and due to non-fulfillment of the same, torture was inflicted by the petitioner and other in-laws family members of the daughter of the complainant. It is further alleged that on 20.02.2017, the daughter of the complainant was confined in a room, depriving her from food, water and medicine.

Learned counsel for the petitioner submits that the petitioner admits his marriage with daughter of the complainant and birth of a male child and he is ready to keep the daughter of the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 7 of the petition, which reads as follows:-

“That the petitioner is ready to keep his wife with full honour and dignity but she herself was not ready to live with her husband”

It is further submitted that similar was the stand of the petitioner before the learned Court below, but the daughter complainant refused to accept the offer of the petitioner, which also 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 six months in the event of arrest/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 like amount each to the satisfaction of learned ACJM-V, Samastipur in connection with Complaint Case No. 338 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Let the learned Court below issue notice to the daughter of the complainant and on her appearance, the petitioner will take the daughter of 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) if the matrimonial harmony is substantially restored, or (ii) if the daughter of the complainant fails to appear before the learned Court below, or (iii) if the daughter of the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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