

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4692 of 2019

Arising Out of PS. Case No.-1853 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

=====

Shrawan Kumar @ Deepak Kumar Raushan, Male, Aged about 27 years, Son
of Raksha Paswan, Resident of Village- Kaler, P.S.- Magadh Medical,
District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar and anr Bihar
2. Asha Devi, Daughter of Bhushan Paswan @ Shashi Kumar, Resident of
Village- Korma Kali Asthan, PO+ PS- Belaganj, District- Gaya

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kr. Sinha
For the Opposite Party/s : Mr.Shaheen Begum

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2019 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
offence punishable under Section 498A of the IPC.

The prosecution case, as per the complaint petition, is to
the effect that the marriage of the complainant was performed
with the petitioner on 10.05.2018, and subsequently she was
blessed with a female child, but thereafter, further demand of
dowry of Rs. 5 lacs was made and due to non-fulfillment of the
same, torture was inflicted by the petitioner and other in-laws



family members. Ultimately, on 02.02.2017, the complainant was driven out from her matrimonial house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with complainant and he is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 10 of the petition, which reads as follows:-

“That the petitioner is ready to keep the complainant with full honour and dignity....”

It is further submitted that the petitioner has filed Matrimonial Suit No. 407 of 2017 with a prayer for restitution of conjugal right.

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 J.M., 1st Class, Gaya in connection with Complaint Case No. 1853 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 complainant and on her appearance, the petitioner will take her



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 complainant fails to appear before the learned Court below, or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

