

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2433 of 2019

Arising Out of. Case No.-316 Year-2017 ROHTAS COMPLAINT CASE District- Rohtas

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Sunil Kumar Singh S/o Hirdyashankar Singh Resident of Village- Shahmal
Khaira, P.O.- Belthari,P.S.-Kochas, District - Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar and Anr Bihar
2. Sunaina Devi Gauri Shankar Singh Resident of Village- Khodhari, P.O.-
Dighita (Dighita), P.S.- Kochas, District - Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Pranav Kumar(App207)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-01-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case No. 316 of 2017 registered under Section 498A of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act.

The gist of the allegation is that the petitioner, being husband of the complainant, subjected the complainant to physical and mental torture due to non- fulfillment of demand of dowry.

The learned counsel for the petitioner submits that prior to institution of the present case the petitioner filed Matrimonial case No. 278 of 2016 in the court of learned Principal Judge, Family Court, Sasaram for restitution of



conjugal rights and vide order dated 28.05.2018 the suit was decreed. The complainant was directed to restore the matrimonial relation but till date the complainant did not come to the house of the petitioner for restoration of conjugal relation. It is further submitted that after institution of the suit for restoration of matrimonial relation the complainant filed the present case.

Considering the facts that prior to institution of the present case the petitioner had already instituted a suit for restoration of conjugal rights, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub divisional Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 316 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

BKS/-

(Prabhat Kumar Jha, J)

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