

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7854 of 2019

Arising Out of PS. Case No.-942 Year-2016 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

SAJJAN RAM, Son of Rupan Ram, Resident of Village - Raghan Kajiyana,
Harijan Tola, Rampatti, P.S.-Madhubani Sadar, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Binita Devi, W/o Sajjan Ram Resident of Village - Raghan kajiyana , Harijan Tola, Rampatti, P.S. - Madhubani Sadar, Distt.- Madhubani, at Present Binita Devi D/o Bharat Ram R/o Village - Ramberai (Berai), P.S.-Darbhanga Sadar, District-Darbhangha.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No 13, Adv.
For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2019 Learned counsel for the petitioner is permitted to
make necessary correction in paragraph no.14 of the application.

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 Indian Penal
Code.

The prosecution case as per the complaint petition is
that the complainant was married with the petitioner on
09.03.2014, but subsequent to the marriage, there was further



dowry demand of a motorcycle and due to non-fulfillment of the same, torture was inflicted upon the complainant. It is alleged that after snatching all her belongings, the complainant was driven out from 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 para 14 of the petition which reads as follows:-

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

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 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 Judicial Magistrate, 1st Class, Darbhanga, in connection with C.R. Case No. 942 of 2016, 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)

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