

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8679 of 2019**

Arising Out of PS. Case No.-64 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Sanjay Singh Son of Late Awadh Bihari Singh Resident of Village- Birajamar,
P.S.- Salempur, District- Deoria (U.P.).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjita Rajani Wife of Sanjay Singh, daughter of Late Birbahadur Singh At present resident of Village- Wajhiyakala, P.O.- Bhopatpur, P.S.-Kotwa, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Mr.Nand Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-03-2019 The matter has been listed under heading ‘For Orders on Office Notes’ awaiting the service report of the notices issued to opposite party no.2, but since learned advocate submits that she has already entered appearance on behalf of opposite party no.2, hence the matter is being heard.

Heard learned counsels for the petitioner, opposite party no.2, 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 offences punishable under Section 498A of the IPC and Section 4 of the Dowry Prohibition Act.



The prosecution case is to the effect that the marriage of the complainant was performed with the petitioner in the year 2003, thereafter they were blessed with a male child, but subsequently, due to non-fulfillment of further dowry demand, torture was inflicted upon the complainant by the petitioner and other in-laws family members and ultimately she was driven out from the 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, though statement to that effect has not been made in the petition, but it is the complainant, who deserted the petitioner. It is further submitted that the complainant has also filed two other complaint cases with similar accusation and one case under the provisions of Domestic Violence Act.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner, but she is apprehensive due to past conduct of the petitioner.

Both sides agree to appear before the learned Court below on 7th of April, 2019, when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 S.D.J.M., Sadar Motihari in connection with Complaint Case No. 64 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

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/-

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