

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13048 of 2019

Arising Out of PS. Case No.-8 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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PRADEEP KUMAR RANJAN, aged about 28 years, male, Son of Ramadhar Sharma Resident of Mohalla- Azad Nagar Akauna, Ward No. 27, Gali no. 2, P.S.- Motihari Town, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Akhilesh Prasad Sharma Son of Late Jagdish Prasad Resident of Mohalla- Chatauni Chowk, P.S.- Chatauni, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakti Suman Kumar
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 05-03-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.C-8 of 2018, corresponding to Trial No.2330 of 2018 registered under Section 498A of the Indian Penal Code and under Section 3 and 4 of Dowry Prohibition act.

The petitioner is the husband of the daughter of complainant. The complainant is father of the wife of the petitioner. The complainant made allegation of demand of dowry and torture against the petitioner and others but the learned court below found prima facie case only against the petitioner. It is submitted that daughter of the complainant is in



habit of leaving the house of the petitioner. She does not want to live and cohabit with the petitioner that is why petitioner filed Matrimonial Case No.4 of 2016 for restitution of conjugal rights. Reconciliation was held and the wife of the petitioner again came to the house of the petitioner in pursuance of the reconciliation and mediation held in Matrimonial Case No.4 of 2016 but the wife of the petitioner again left the house of the petitioner and thereafter petitioner filed Divorce Case No.13 of 2018. Thereafter, the father of the wife of the petitioner lodged this complaint case.

Taking into consideration the fact that much prior to institution of the present case, the petitioner filed Matrimonial Case No.4 of 2016 for restitution of conjugal rights and the matter was also resolved but again the wife of the petitioner left the house of the petitioner and thereafter petitioner filed Divorce Case No.13 of 2018, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sadar, East Champaran, Motihari in connection with Complaint Case No.C-8 of



2018(Trial No.2330 of 2018), subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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