

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12558 of 2019**

Arising Out of PS. Case No.-779 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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Rahul Kumar, Son of Ravindra Ram, Resident of Village - Rajpur, P.S.- Bihta,
District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi, Wife of Rahul Kumar Resident of Village - Rajpur, P.O.-
Dariyapur, P.S.- Bihta, District - Patna, At present Daughter of Ram Laddu
Ram, Village - Patut, P.O.- Patut, P.S.- Rani Talab, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh
For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsels for the petitioner and the

State.

The petitioner, being the husband of the complainant 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 Sections 4 of the Dowry Prohibition Act.

The prosecution case, as per the complaint petitioner is to the effect that the marriage of the complainant was performed with the petitioner on 07.05.2015, but subsequent to the marriage, further demand of dowry of Rs. 2 lacs was made and due to non-fulfillment of the same, torture was inflicted upon



the complainant by the petitioner and other in-law family members of the complainant, and ultimately, the complainant 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, statement to that effect has been made in paragraph no. 13 of the petition, which reads as follows:-

“That the petitioner is still ready to live his wife with full honour and dignity.”

It is further submitted that similar was the stand of the petitioner before the learned Court below, which gets reflected from the impugned order.

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 SDJM, Danapur in connection with Complaint Case No. 779C 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 the complainant 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/-

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