

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16196 of 2019**

Arising Out of PS. Case No.-1256 Year-2017 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

=====

Arvind Kumar @ Vinod Singh, Son of Late Jag Narayan Singh, Resident of
Village - Dhamdiha, P.S.- Dawath , Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Bala @ Gudia, Wife of Arbind Kumar @ Vinod Singh, D/o Sri
Valeshwar Singh Resident of Village - Mujradh West Tola, P.O. - Mujradh,
P.S.- Nokha, Distt.- Rohtas. At Present H/o Late Laxman Singh Above the
Optical Shop, P.S.- Ara Nawada, Distt.- Bhojpur.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Om Prakash Upadhyay
For the Opposite Party/s : Mr. Jitendra Kumar Singh

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 15-03-2019 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/34 of the Indian Penal
Code.

The prosecution case as per the complaint petition is
that marriage between the complainant, Priya Bala @ Gudia



and the petitioner, Arvind Kumar @ Vinod Singh was performed on 13.02.2011. Subsequently, further dowry demand of a mobile phone and a motorcycle was made and due to non-fulfillment of the same, torture was inflicted upon the complainant. It is further alleged that on 09.04.2017, after snatching all the belongings, the complainant was driven out from her matrimonial house by the petitioner and other in-law family members.

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, statement to that effect has been made in paragraph nos. 6 and 9 of the petition which reads as follows:-

“6. That it is evident from the order impugned that the petitioner was ready to keep his wife with honour and prestige but the same can not be unilaterally carried on in absence of any endeavor on the part of O.P. No.2 for the same.

9. That the O.P. No.2 has alleged in her complaint that the petitioner is not ready to keep her and he will spent his life with another (lady) is out and out false statement made by the O.P. No.2 because the petitioner is always ready to keep her (O.P. No.2) with honour and prestige.”

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



Considering that 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 bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **S.D.J.M., Bhojpur at Ara**, in connection with **Complaint Case No.1256(C) of 2017**, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Let the learned Court below issue notice to the complainant/O.P. No.2 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)

Deepak/-

U		T	
---	--	---	--

