

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16386 of 2019**

Arising Out of PS. Case No.-3495 Year-2017 Thana- PATNA COMPLAINT CASE District-  
Patna

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RAJ KUMAR, aged about 38 years, Male, Son of Jagdish Prasad, Resident of Mohalla - Shankar Path, Hurhuru Pandit Ji Road Hajaribag, P.S.- Sadar, District- Hajaribag, State-Jharkhand.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ruby Kumari, aged 30 years, female, W/o Sri Raj Kumar, D/o Shyam Bihari Chaudhary, Resident of Ashiyana Nagar, Khajpura, P.S.- Rajiv Nagar, Distt. - Patna.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar  
For the Opposite Party/s : Mr.Tarun Prasad Mandal

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      15-03-2019                      Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.3495 of 2017 registered under Sections 323, 498(A), 504 and 506 of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

The complainant alleged that her marriage with the petitioner was solemnised on 09.03.2003 but her husband demanded dowry and due to non-fulfillment of demand of dowry, she was subjected to all sorts of torture. Her husband used to come in the house after taking wine and he always abused and assaulted the complainant.



The learned counsel for the petitioner submits that the marriage was solemnised in the year 2003 but the complaint petition was filed in the year 2017 i.e. after more than 14 years. During this period, the complainant never complained any ill treatment at the hands of the petitioner. It is further submitted that petitioner is ready to keep his wife. The matter was taken up for reconciliation but the wife was not willing to live with the petitioner.

It appears from perusal of the order of the learned Sessions Judge that effort was made for reconciliation but on account of unwillingness on the part of both sides, the matter could not be resolved.

Taking into consideration the facts that marriage was solemnised in the year 2003 but the complainant filed the complaint petition in the year 2017 although she alleged that immediately after marriage, her husband started subjecting her to torture due to non-fulfillment of demand of dowry, 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



Sub Divisional Judicial Magistrate, Patna in connection with  
Complaint Case No.3495 of 2017, subject to the conditions as  
laid down under Section 438(2) of the Code of Criminal  
Procedure.

**(Prabhat Kumar Jha, J)**

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