

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16763 of 2019

Arising Out of PS. Case No.-1557 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Amarjeet Sharma, S/o- Ram Prasad Sharma Resident of Village- Naula Chamartoli, P.O.- Naula, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lila Devi, W/o- Amarjeet Sharma, Resident of Village- Naula Chamartoli, P.O.- Naula, P.S.- Bhagwanpur, District- Begusarai. At present D/o- Dashrath Sharma, H.No.- 14, Sri Gopal Mallik Road, Aryadhah, Kolkata-57, Post- Aryadhah, P.S.- Lal Bazar, District- Howrah.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1
For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-03-2019 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner, being the husband of the complainant ,

is apprehending his arrest in a complaint case, wherein process

has been directed to be issued after cognizance being taken for

the offence punishable under Section 498A of the Indian Penal

Code.

The prosecution case, as per the complaint petition, is

that the marriage between the complainant and the petitioner

was performed in the year 2003. Subsequently, they were

blessed with two children. Thereafter, further dowry demand of



Rs.2,25,000/- and a motorcycle was made but due to non-fulfillment of the same, torture was inflicted upon the complainant.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of two children. The petitioner is ready to keep the complainant as wife with full dignity and honour, but specific statement to that effect has not been made in the petition. However, in paragraph 9 of the petition a statement has been made that the petitioner is ready to resolve the issue, which reads as follows:-

“That the petitioner for the betterment of his family and the life of children even if accepting all the mistakes which has been committed by the complainant, he is ready to resolve the dispute whatever is there and still ready to get her back for the prestige of the entire family as well as the career of the children.”

Keeping in view 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 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 Sub-divisional Judicial Magistrate, Begusarai in connection with Complaint Case No. 1557C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned Court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to her matrimonial house 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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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