

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22452 of 2019

Arising Out of PS. Case No.-141 Year-2018 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Ravindra Chaudhary, Son of Rajendra Chaudhary, Resident of Village -
Chaurma, P.S.- Khodaganj, Distt - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anju Devi Wife of Ravindra Chaudhary, D/o Chandra Prakash Chaudhary
Resident of Village - Chaurma, P.S.- Khodaganj, Distt - Nalanda. At present
Mohalla - Rajabajar Utari Daulatpur, P.S.- and Distt - Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath
For the Opposite Party/s : Mr.Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-07-2019 Heard learned counsel for the petitioner, learned
counsel for the complainant 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 offences punishable under Sections 498A , 323, 504 of the
Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The prosecution case is that the marriage of the
complainant was performed with the petitioner in the year 2013,
subsequently they were blessed with a male child, but
subsequent to the marriage, further demand of dowry of a gold
chain and Rs. 1 lac 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. Ultimately, on 13.03.2018, the complainant was driven out from the matrimonial house by all the accused persons.

From the impugned order it appears that in spite of the order of the Court, the petitioner has not handed over the custody of the child to the complainant.

The petitioner and the complainant are present in the Court.

However, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph 11 of the petition, which reads as follows:-

“That the petitioner is ready to keep her wife with full honour and dignity.”

It is further submitted that the petitioner always ready is comply the order of the learned Sessions Judge with regard to handing over the custody of the child to the complainant.

It is submitted by learned counsel for the complainant that the complainant is ready to accept the offer of the petitioner and is ready to resume the conjugal life.

In the circumstances, both sides agree to appear



before the learned Court below on 15th of July, 2019 when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for four 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 Chief Judicial Magistrate, Jehanabad in connection with Complaint Case No. 141 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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