

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 28403 of 2019

Arising Out of PS. Case No.-407 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

=====

Pawan Kumar Baitha, S/o Jai Prakash Baitha, Resident of Village- Janki
Nagar Hasanpur, P.S.- Garakha, District- Saran

... .. Petitioner

Versus

1. The State of Bihar
2. Pooja Devi, W/o Pawan Kumar Baitha, D/o Bhukhal Baitha, Resident of
Village- Janki Nagar, Hasanpura, Garakha Dakshin Tola, P.S.- Garakha,
District- Saran. At present Dahiyawan Bhraman Toli, P.S.- Chapra Nagar
District- Saran at Chapra.

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Basant Kumar Singh, Advocate
For the Opposite Parties : Mr. Akbar Ali, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

6 17-08-2019 Heard learned counsel for the petitioner and learned
counsel for the complainant-opposite party no.2.

The petitioner seeks pre-arrest bail in connection with
Complaint Case No.407 of 2018 in which cognizance has been
taken for the offences punishable under Sections 498A, 323,
379, 406, 504 read with 34 of the Indian Penal Code and
Sections 3 and 4 of the Dowry Prohibition Act.

It is submitted by the learned counsel for the



petitioner that there is no truth behind the allegation of subjecting the complainant to cruelty for non-fulfilment of dowry. The petitioner is always ready to keep his wife with full honour and dignity. Since the complainant-opposite party no.2 herself is not willing to live together with the petitioner, he has been left with no other option but to file a matrimonial case before the court of Principal Judge, Family Court, Chapra seeking a decree of divorce.

On the other hand, learned counsel appearing for the complainant submitted that there is allegation in the complaint that the petitioner and his other family members used to demand cash in dowry to the tune of Rs. 2 lakhs and one pulsar motorcycle and for non-fulfilment of the same, they used to torture the complainant.

Be that as it may, regard being had to the nature of allegation, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner is directed to 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 Additional Chief Judicial Magistrate-XII, Saran at Chapra in connection with Complaint Case No.407 of 2018 (T.R. Case No.2761 of 2019) subject to the conditions



as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Ashwani Kumar Singh, J.)

Sanjeet/-

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

