

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26017 of 2019**

Arising Out of PS. Case No.-405 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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SANJAY RAM JAISWARA, Son of Late Sahdeo Ram Jaiswara, Resident of
Durga Mandir Road, Harinarayan Nagar, Banmasa, Police Station- Dhansar,
District- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sangeeta Kumari, Wife of Sanjay Ram Jaiswara and D/O Sri Phuleshwar Prasad, Resident of Mohalla- Phuleshwar Prasad, Resident of Mohalla- Sultanpur, Devi Asthan, Neemtal, Danapur, Police Station- Danapur Cantt. District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghav Prasad
For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.405(C) /2017 , registered for offences punishable under Sections 120(B) of the Indian Penal Code and Section 34 of D.P.Act..

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted and there is no cognizance under Section 34 of the Dowry Prohibition Act rather she has illicit relation with another person due to that she is not ready to reside with the petitioner making false allegation and the petitioner is still ready to keep her.



Heard learned A.P.P. and the learned counsel for O.P.no.2, who has flatly refused to reside with the petitioner on the ground that she was subjected to assault. .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Danapur in connection with Complaint Case No.405(C) of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if any maintenance case is being filed by O.P.no.2, petitioner has to co-operate in disposal of the same and he will abide by any order in maintenance case either interim or final.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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