

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36729 of 2019

Arising Out of PS. Case No.-470 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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DHANJI SAH @ DHANJI KUMAR Son of Yamuna Sah Resident of
Mohalla- Indrapuri, Ward No.-5, Nagar Panchayat- Nokha, P.S.- Nokha,
District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jaya Devi Wife of Dhanji Sah @ Dhanji Kumar Resident of Village-
Khalaria, Post- Gotapa, P.S.- Bikramganj, District- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

8 22-10-2019 The petitioner apprehends his arrest in connection with

Complaint Case No. 470 of 2017 in which cognizance under

Section 4 of the Dowry Prohibition Act has been taken by the

learned Magistrate.

Learned counsel appearing on behalf of the petitioner
submits that marriage of the petitioner was solemnised with the
complainant on 17.05.2013. He further submits that petitioner
has filed a matrimonial case bearing case no. 277 of 2016
against the complainant under Section 9 of the Hindu Marriage
Act for restitution of conjugal right and after receipt of notice in
the said case, complainant/OP No. 2 has lodged the present
complaint stating therein demand of dowry by the petitioner and
other family members. Learned counsel further submits that



allegation against the petitioner is general and omnibus in nature. He further submits that petitioner is ready to keep OP No. 2 as his wife with all care and dignity.

No one appears on behalf of the O.P.No. 2.

Having regard to the submissions made by the parties and taking into consideration the fact that allegation against the petitioner is general and omnibus and complaint has been filed after filing of the matrimonial case by the petitioner under Section 9 of the Hindu Marriage Act, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned SDJM, Bikramganj, Rohtas in connection with Complaint Case No. 470 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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