

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39871 of 2019

Arising Out of Case No.-6104 Year-2015 NAWADAH COMPLAINT CASE District-
Nawada

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SANJAY KUMAR Son of Kailash Singh Resident of Village - Amawa, P.O.-
Bansh Gopal, P.S.- Rajauli, Distt - Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi Wife of Sanjay Kumar Resident of Village - Amawa, P.O.- Bansh
Gopal, P.S.- Rajauli, Distt - Nawada, At present D/o Sri Janardan Prasad,
resident of Matkaur, Distt - Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Prakash Sharma
For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-06-2019 The learned counsel for the complainant filed power.
Let the same be kept on record.

Heard both sides.

The petitioner apprehends his arrest in Complaint case
No. 6104 of 2015 registered under Section 498A of the IPC.

The complainant filed complaint petition being
complaint case No. 756 of 2013 alleging therein that petitioner
subjected her to different sorts of torture for non fulfillment of
demand of additional dowry. The complaint petition was sent to
P.S. u/s 156(3) of the Cr. P. C. The police registered the case
being Rajauli P.S. case No. 171 of 2013 and after investigation
submitted final form finding the accusation against the
petitioner false. The complainant filed protest petition after
acceptance of final form and the case proceeded on protest.

The learned counsel for the petitioner submits that



marriage of petitioner with complainant was solemnized in the year 1997 and petitioner has got two sons from the wedlock. Both sons are living with the petitioner and on account of her behaviour the complainant left the house of petitioner and used to pick up quarrel.

The learned counsel for the complainant submits that complainant is ready to live with her husband.

Taking into consideration the facts that after sixteen years of marriage the complainant filed complaint but when the case was instituted the police found the accusation false and the complainant got two majors sons who are living with their father, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate-III, Nawada in connection with Complaint case No. 6104 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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