

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67787 of 2018

Arising Out of PS. Case No.-1370 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

-
1. Ranjeet Ravidas S/o Nandu Ravidas
 2. Nandu Ravidas S/o Chando Ravidas
 3. Mritum Devi W/o Nandu Ravidas
- All are Resident of Village-Hasanganj,P.S. Pakribrawan,Distt.-Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Soni Devi D/o Krishna Ravidas Resident of Village-Milki Dhibri,P.S. Muffasil,Distt.-Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mrs. Rita Verma

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 12-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner no. 1, being the husband of the complainant, whereas, petitioner nos. 2 and 3, being the parents of petitioner no. 1, are apprehending arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offence punishable under Section 498A of the Indian Penal Code.

The prosecution case as per the complaint petition is that the marriage between petitioner no. 1 and the complainant was performed on 14.05.2010, subsequently, they were blessed



with a male child. But, thereafter, further dowry demand of Rs.50,000/- was made and for non-fulfillment of the same, the torture was inflicted. It is further stated that the accused persons also made attempt to kill the complainant, but she managed to escape from the scene.

It is submitted by learned counsel for the petitioners that petitioner no. 1 admits his marriage with the complainant. Since the complainant is having illicit relationship with someone else, hence, petitioner no. 1 has filed Matrimonial Suit No. 18 of 2018, for dissolution of marriage on 18.01.2018, though, subsequent to the filing of the present complaint.

Petitioner no. 1 is not ready to keep the complainant as wife, though, initial order dated 14.12.2018, whereby interim order was passed in favour of petitioner no. 1, reflects that it was submitted on behalf of petitioner no. 1 that he is ready to keep the complainant as wife with dignity and honour, though, statement to that effect was not made in the petition. Petitioner no. 1 is also not ready to make any payment to the complainant or the child.

Learned counsel for the complainant submits that the complainant has not performed second marriage or she is not having illicit relationship with anyone but in order to save from



the rigors of complaint case, matrimonial suit has been filed by the petitioner. The complainant is ready to resume the conjugal life. The complainant is not in a position to maintain herself or the child. However, thrust of accusation is against petitioner no. 1, the husband of the complainant, whereas, accusation is omnibus and general against petitioner nos. 2 and 3, who are old parents of the husband of the complainant.

The petitioner no. 1 and the complainant are present in the Court.

The marriage between the parties and the child residing with complainant are admitted facts.

Considering the adamant attitude of petitioner no. 1, who is neither ready to keep the complainant nor is ready to make any payment which amounts to perpetuating the torture till today, hence this Court is not inclined to grant anticipatory bail to petitioner no. 1. Accordingly, the prayer for anticipatory bail of petitioner no. 1 is rejected.

However, petitioner no. 1 is permitted to surrender before the learned Court below within a period of four weeks and pray for regular bail.

Considering the fact that thrust of accusation is against petitioner no. 1 and petitioner nos. 2 and 3, being old



parents of petitioner no. 1, let the above named petitioner nos. 2 and 3 be released on anticipatory bail 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) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 1370 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

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

