

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48210 of 2019

Arising Out of PS. Case No.-380 Year-2017 Thana- COMPLAINT CASE District- Jamui

MATLU SHARMA Son of Late Singheshwar Sharma Resident of Village -
Chhathudhanama, P.S.- Jamui, District - Jamui.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rina Devi Wife of Matlu Sharma Resident of Village - Chhathudhanama,
P.S.- Jamui, District - Jamui. At present D/O Jitan Mistri, Resident of Village
- Amba, P.S.- Jamui, District - Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

24 02-08-2019 Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 504 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case as per the complainant is that the marriage of the complainant was performed with the petitioner fifteen years prior to lodging of the present case. The married couple blessed with four children, but subsequently,



further dowry demand of Rupees One Lakh was made due to non-fulfillment of the same, torture was inflicted upon the complainant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of four children. The petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That the petitioner is ready to
keep his wife with all dignity and honour.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Jamui, in connection with Complaint Case No. 380C of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned Court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full



dignity and honour.

The provisional bail of the petitioner will be confirmed by learned Court below in three eventualities (i) if the matrimonial harmony is substantially restored, or (ii) if the complainant fails to appear before the learned court below, or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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

