

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48064 of 2019

Arising Out of PS. Case No.-1749 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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CHANDAN KUMAR SINGH Son of Surendra Singh Resident of Village -
Kadhan, P.S. - Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Chandani Devi, Wife of Chandan Kumar Singh D/o Ram Pukar Singh, At
Present Resident of Village - Dagrahan, P.S. - Mehshi, District - Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Mr.Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 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 Section 498A of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case as per the complaint petitioner is to the effect that the marriage of the complainant was performed with the petitioner on 29.04.2016, but subsequent to the marriage, further demand of dowry of Rs. 1 lac and motorcycle was made and due to non-fulfillment of the same, torture was



inflicted upon the complainant by the petitioner and other in-law family members.

Learned counsel for the petitioner submits that the petitioner admits his marriage with complainant and he is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 7 of the petition, which reads as follows:-

“7. That the petitioner is husband of the Complainant/Opp. Party no.2, and is still ready to keep her with full honour and dignity.”

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/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Sadar, East Champaran, Motihari in connection with Complaint Case No. 1749 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Let the learned Court below issue notice to the complainant and 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 the 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 deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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