

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83781 of 2019

Arising Out of PS. Case No.-970 Year-2019 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Rakesh Ram, Son of Mahesh Ram, Resident of Village - Ratwar, Post -
Ratwar, P.S.- Bhabua, Distt - Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. Sunita Devi Wife of Rakesh Ram Resident of Village - Nonar, Post -
Chewari, P.S.- Ramgarh, Distt - Kaimur (Bhabua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the complainant ,
is apprehending his 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 the complainant and the petitioner
was performed 7/8.03.2019 but subsequent to the marriage,
further dowry demand of Rs.Ten lakhs was made but due to
non-fulfillment of the same, torture was inflicted upon the



complainant and ultimately, the complainant driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph 16 of the petition, which reads as follows:-

“That it is stated that still the petitioner is ready to keep his wife i.e. complainant/O.P. No. 2 with full dignity and honour.....”

It is further submitted that at earlier point of time, the father of the petitioner lodged Bhabua P.S. Case No. 400 of 2019 with accusation under Sections 379 and 366/34 of the Indian Penal Code against the father and brother of the complainant along with others, as contained in Annexure-2.

Considering the present stand of the parties, 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-5, Kaimur (Bhabua) in connection with Complaint Case No. 970 of 2019,



subject to the conditions as laid down under Section 438(2) of the 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 her matrimonial house 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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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