

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4587 of 2020**

Arising Out of PS. Case No.-2134 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Jaiprakash Singh, Male, aged about 37 years, Son of Suraj Singh, Resident of
Village - Shripur Gopalpur, Ward No.3, P.S.- Sugauli, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabita Devi, Female, aged about 30 years, W/o Jaiprakash Singh, D/o
Surendra Mahto Resident of Village - Patkhauliya, P.O.- Jagarnathpur, P.S.-
Gopalpur, Distt.- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr.Dashrath Mehta,APP.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the parties.

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 498A/34 of the Indian Penal
Code.

The prosecution case as per the complainant is that
the marriage of the complainant was performed with the
petitioner in the year 2008. The married couple was blessed with
three children but after 7 to 8 years of marriage, further dowry
demand of Rs. 2 lacks was made and due to non-fulfilment of



the same, torture was inflicted upon the complainant. It is alleged that the accused persons also tried to take life of the complainant by causing burn injury after pouring kerosene oil on her body.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of three 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 paragraph no. 6 of the petition, which reads as under:

“That the petitioner is ready to keep the complainant with due dignity and honour.....”

Learned counsel for the State submits that there is specific accusation against the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail, provisionally for a period of six months, in the event of arrest or surrender before the learned Court below within a period of 12 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 the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 2134-



C/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notices to the complainant for her appearance. On appearance of the complainant, the petitioner will take her to her matrimonial home for keeping her as wife with full dignity and honour.

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

(Dinesh Kumar Singh, J)

Rahul/Gautam

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