

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19756 of 2020**

Arising Out of PS. Case No.-576 Year-2019 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Ravindra Mistry @ Ravindra Sharma S/o Gangi Mistri Residence of Village -
Vajidpur, P.S.- Ekangarsarai, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Neelam Devi W/O Sri Ravindra Mistri D/O Naresh Mistri, Residence of
Village - Vajidpur, P.S.- Ekangarsarai, District - Nalanda. At Present Village
- Choti Pahadi, P.S. - Sohsarai, District - Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pratyush Kumar
For the Opposite Party/s : Mr.Rajeev Nayan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-07-2020 The matter has been taken up through virtual Court
proceeding.

Heard learned counsel for the petitioner and learned
APP for the State.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks of resumption of physical
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the bench.



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 offences punishable under Sections 323, 504, 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case, as per the complaint petition, is that the marriage between the complainant, Nilam Devi and the petitioner, Ravindra Mistry was performed 04.05.2017 but subsequently, for non-fulfillment of further dowry demand of Rs. One lakh and a motorcycle, torture was inflicted upon the complainant and ultimately, she was 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 11 of the petition, which reads as follows:-

“That the petitioner is still want to live with opp. party no. 2 and ready to keep her with full dignity and respect.”

Learned APP appearing for the State submits that the thrust of accusation is against the petitioner.

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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Nalanda, Bihar Sharif in connection with Complaint Case No. 576(C) 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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