

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43455 of 2019

Arising Out of PS. Case No.-412 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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RANVIR KUMAR, Son of Late Binod Kumar, a permanent resident of Hulash Bihar Colony, Beur, P.S.- Beur, District- Patna. At present- Ranvir Kumar, J.T.O. B.S. No. 2, Office Main Telephone Exchange Building, Hullas Road, District- Balsad, Gujrat- 396001.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anu Shri Wife of Ranvir, D/o Shri Dilip Kumar A resident of Mirza Mashooq Ali, Road, Gurhatta, P.S.- Khajekalan, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Harish Kumar
For the State	:	Mr.Binod Kumar
For the complainant	:	Ms. Rani Kumari

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

9 12-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Complaint Case No. 412(C)/2018, disclosing offence punishable under Section 498-A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

It is the prosecution's case that the petitioner and the complainant were married in 2011. Allegedly, the petitioner was making demand of dowry and had been torturing the complainant variously.

It appears from the order-sheet that the matter was



referred to Patna High Court Mediation Centre for amicable resolution of the dispute between them, which failed, as is evident from the report of the learned Mediator dated 19.11.2019. The petitioner was granted interim protection by an order of this Court dated 16.07.2019.

Learned counsel appearing on behalf of the petitioner has submitted that basically a matrimonial dispute between the two has been given a colour of criminal case. He has further submitted that no purpose would be served if the petitioner is taken into custody, since the matter arises out of a complaint case.

Learned counsel appearing on behalf of the complainant, on the other hand, has vehemently opposed the prayer for anticipatory bail and has submitted that the parents of the complainant had given to the petitioner a sum of Rs. 10 lakhs and other articles as dowry. She has further submitted that the petitioner is working as JTO, BSNL office at Balsad (Gujrat) and he is not maintaining the complainant properly.

Be that as it may, considering the nature of dispute between the parties, a case for grant of anticipatory bail is made out. This application is accordingly allowed.

Let the petitioner, above-named, in the event of his



arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned ACJM, Patna City, in Complainant Case No. 412(C)/ 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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