

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.72977 of 2019**

Arising Out of PS. Case No.-522 Year-2017 Thana- BUXAR COMPLAINT CASE District-  
Buxar

=====

SUSHIL SINGH @ RAJESH, Son of Late Narsingh Singh, Resident of  
Village - Baraura, P.S.- Sahwal, District- Gazipur (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Seema Devi, Wife of Sushil Singh @ Rajesh, D/O - Surendra Prasad Singh  
At present Resident of Village - Baraura, P.S.- Suhwed, District- Gazipur  
(U.P.), Resident of Village - Dihari, P.S.- Rajpur, District- Buxar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Gupta  
For the Opposite Party/s : Mr. Umesh Lal Verma

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
ORAL ORDER

4      06-03-2020                      Heard learned counsels for the petitioner, informant  
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 Section  
4 of the Dowry Prohibition Act.

The prosecution case as per the complaint petition is  
that the marriage of the complainant was performed with the  
petitioner on 04.12.2015. Though for some time, the  
relationship was cordial, but subsequently, for non-fulfillment of  
further dowry demand of Rupees Eight Lacs for construction of



house, the torture was inflicted upon the complainant. Ultimately, the complainant 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 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. 10 of the petition, which reads as under :-

“That it is stated that petitioner is ready to keep his wife full dignity.”

However, from the impugned order it appears that the petitioner has declined to keep the complainant at his place of employment.

Learned counsel for the complainant submits that the the petitioner took a stand before the learned Court below that he is not ready to keep the complainant at his place of employment, hence, the issue could not be resolved. However, the complainant is still ready to live with the petitioner at his place of employment.

Both sides are ready to appear before the learned Court below on 23.03.2020 when the petitioner will take the complainant to keep her as wife with full dignity and honour.



Considering the present stand of the parties and keeping in view of the fact that the present order will at least save the complainant from destitution and vagrancy and with a lurking hope that the issue between the parties may reconcile in future, 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Buxar, in connection with Complaint Case No.522 C of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by 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)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

