

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77184 of 2019

Arising Out of PS. Case No.-305 Year-2018 Thana- COMPLAINT CASE District- Araria

CHANDAN RISIDEO, Son of Timhay Risideo, Resident of Village- Bhadesar, Ward No.2, P.S.- Jogbani (Bathnaha O.P.), District- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Runia Devi, Wife of Chandan Risideo, D/o Maharangi Risideo, Resident of Village- Bhadreshwar, Ward No.02, P.S.- Bathnaha, District- Araria. At present residing at Village- Gorraha, P.S.- Narpatganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Adv.
For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2020 Heard learned counsels for the petitioner 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 Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case as per the complaint petition is that the complainant Runia Devi was married with the petitioner Chandan Risideo three years prior to lodging of the present case. After the marriage, there was further dowry demand of Rs.50,000/- and a milking buffallow was made and due to non-



fulfillment of the same, torture was inflicted upon the complainant. Ultimately, on 01.02.2019, the complainant was driven out from the matrimonial house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and the accusation levelled in the complaint petition is not supported by any documentary evidence. However, the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner is always ready to keep his wife (the complainant/opposite party no.2) with full dignity and honour.”

It is submitted by learned APP for the State that there is specific accusation against the petitioner in the complaint petition.

Considering the present stand of the petitioner which for the present will at least save the complainant from destitution and vagrancy, let the above named petitioner be released on provisional anticipatory bail for one year 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, Araria, in connection with Complaint Case No. 305 C of 2018, 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 keep her as wife with full dignity and honour.

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)

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