

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81226 of 2019

Arising Out of PS. Case No.-1010 Year-2019 Thana- COMPLAINT CASE District- Araria

GOPAL BAHARDAR Son of Shiv Shankar Bahrdar Resident of Village -
Kevlasi, P.S.- Simraha, Distt.- Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pramila Devi W/o Gopal Bahardar, D/o Bilat Mukhiya Resident of Village -
Choura Parwaha, Panchayat - Bhag Kohaliya, P.S.- Forbesganj, Distt.-
Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2020 Heard learned counsels 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 section 498A of the IPC.

The prosecution case is that the complainant was married with the petitioner on 10.3.2016 but subsequent to the marriage, there was further dowry demand of Rupees One Lac and a motorcycle and due to non-fulfillment of the same, torture was inflicted upon the complainant.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and



is ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph 10 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.”

Considering the present stand of the petitioner, let the petitioner above named be released on provisional anticipatory bail for six months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria in connection with Complaint Case No. 1010C of 2019 subject to the conditions laid down in 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 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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