

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84227 of 2019**

Arising Out of PS. Case No.-1289 Year-2018 Thana- GAYA COMPLAINT CASE District- Gaya

Ashutosh Shrma @ Ashutosh Sharma, Son of Ashok Sharma, Resident of Village - Badaki Murhari, P.S.- Pali, District - Jehanabad. Presently residing Mohalla - Bajrangbali Colony, Road No. 720, P.S.- Phulwarisharif, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Puja Kumari Wife of Ashutosh Shrama @ Ashutosh Sharma D/o Avadesh Sharma, Resident of Village - Badaki Murhari, P.S.- Pali, District - Jehanabad. Presently residing at village - Raunia, P.S.- Khijarsarai, District - Gaya.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar Sharma, Adv.  
For the Complainant : Mr. Rama Kant Sharma, Adv.

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

3      29-01-2020                  Heard    learned    counsels    for    the    petitioner,  
             complainant 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 complainant, Puja Kumari, was married with the petitioner in 2017, but subsequent to the marriage, further



dowry demand of Rupees Five Lac was made and due to non-fulfillment of the same, she was assaulted and driven out from the matrimonial house, leading to filing of the complaint petition.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph No.7 of the petition, which reads as follows:-

“7. That petitioner is ready to keep his wife with full dignity along with his parents.”

It is further submitted that the petitioner is working as a Data Entry Operator at Patna and he will keep the complainant at his place of job.

The petitioner and the complainant are present.

Learned counsel for the complainant submits that the complainant accepts the offer of the petitioner, but she is apprehensive due to past conduct of the petitioner.

Both sides ready to appear before the learned Court below on 10.02.2020 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties 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, Gaya, in connection with Complaint Case No.1289 (c) of 2018, 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/-

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