

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33458 of 2020

Arising Out of PS. Case No.-1300 Year-2019 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Raj Kumar Sah Son of Bindeshwari Sah @ Bino Sah Resident of Village -
Kajra, Police Station- Mirganj, District Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi, Wife of Raj Kumar Sah, Daughter of Ramu Sah, Resident of
Village - Kajra, Police Station- Mirganj, District Purnea, at present resident
of Village Kamalpur, Khagauta, Police Station- Dagarua, District- Purnea.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh
For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 24-01-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioner is apprehending his arrest in a

complaint case registered for the offences punishable

under Section 498(A)/34 of the Indian Penal Code.



The basic accusation is of torture for non-fulfillment of dowry demand.

It appears that in spite of valid service of notice upon complainant/O.P. No. 2, none is appearing on behalf of the complainant.

It is submitted by learned counsel for the petitioner that the marriage of the petitioner with the complainant was solemnized in the year 2015 and the allegation against the petitioner is false and concocted. It is further submitted that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 14 of the petition.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount



each to the satisfaction of learned Judicial Magistrate, 1st
Class, Baisi, Purnea in connection with Complaint Case
No. 1300 of 2019, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

If the complainant wishes to reside with the
petitioner, she will file a petition before learned Court
below when it is expected from the learned Court below
to issue notice to the petitioner for his appearance
before learned court below. On appearance, the
petitioner will be under an obligation comply the
undertaking given before this Court and will take the
complainant to her matrimonial house to keep her as
wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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