

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38999 of 2020

Arising Out of PS. Case No.-779 Year-2018 Thana- SAHARSA COMPLAINT CASE
District- Saharsa

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Shrawan Kumar Pasi @ Shrawan Pasi Son Of Gajendra Pasi Resident Of
Village - Sukhpur, Ward No. 5, Police Station - Supaul, Dist. - Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari D/o Santosh Chaudhary W/o Srawan Pasi, Resident of
Village - Ramfal Sah Tola, Sapatiyahi Ward No. 2, Police Station - Saharsa,
District - Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha
For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 06-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 323, 498(A) of the Indian Penal Code and

Section 3/4 of the Dowry Prohibition Act.

The accusations are of torture for non-

fulfillment of dowry demand and ousting the complainant

from her matrimonial house.

It is submitted by learned counsel for the



petitioner that a false and concocted story has been created and petitioner has has been implicated in this case. The petitioner is husband of the complainant and he never demanded any dowry. In fact, the complainant is a quarrelsome lady and she herself does not want to live with the petitioner. The petitioner is still ready to keep the complainant as wife with full dignity and honour. He has also filed Matrimonial Case No. 25 of 2020 for restitution of conjugal life.

It appears that vide order dated 14.07.2021, notice was issued to the complainant. However, in spite of valid service of notice, none appears on behalf of the complainant.

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 Sub-Divisional Judicial Magistrate, Saharsa in connection with Complaint Case No. 779(C) of 2018, 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 to that effect before learned Court below. On receiving such a petition, the learned Court below will issue notice to the petitioner when the petitioner will be under an obligation to comply the undertaking given before this Court to keep the complainant as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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