

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56815 of 2021**

Arising Out of PS. Case No.-1200 Year-2019 Thana- SIWAN COMPLAINT CASE District-
Siwan

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KANHAIYA RAM S/O LATE SHIV RATAN RAM, R/o village- Amhara,
P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. SAROJ DEVI W/O Kanhaiya Ram, D/o Late Ramashish Ram At Present
R/o village- Sarauti, P.S.- Pachrukhi, District- Siwan, Mob. No. 9572585669

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned counsel for the petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with

Complaint Case No. 1200 of 2019 registered for offence

punishable under sections 341, 323, 498 (A) and 406 of the

Indian Penal Code.

The petitioner is husband of complainant Saroj Devi,

who made allegation against the petitioner that he demanded a

bullet motor cycle and Rs.5,00,000/- cash in dowry and due to



non-fulfillment of demand of dowry, she was subjected to cruelty.

The learned counsel for the petitioner has submitted that the relations between the couple has become irretrievable, as she developed relation with the husband of her sister and she was incorrigible, as such, the petitioner had no option to file Divorce Case No. 109/2018. The complainant in paragraph 7 of her complaint petition has also mentioned the existence of Divorce Case No. 109/2018.

It appears that the matter is irretrievable. There appears to be no possibility of restoration of the conjugal life. The learned counsel for the petitioner expresses his willingness that the petitioner is ready to make a payment of Rs. 5,000/- per month to the complainant.

Considering the above-mentioned facts and circumstances, the petitioner above named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan in connection with Complaint Case No. 1200 of 2019, subject to condition as laid down under section 438(2) Cr. P.C.



The petitioner is directed to adhere to his words.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

Mahesh/Nirmal

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