

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53037 of 2023

Arising Out of PS. Case No.-342 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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Robin Kumar Son of Arun Kumar R/o Village- Punaichak Gandhi Murti,
Shankar Market (Behind of Bisheshwar-Raiya Bhawan), PS. Shastri Nagar,
Dist. Patna-800023

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari W/O Robin Kumar, D/O Dev Krishna Singh R/O Village-
Rasulpur Ranipur, PS. Mehdiganj, Dist. Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-08-2023 Heard Mr. Pramod Kumar, learned counsel for the

petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Complaint Case No. 342 of 2019, in which cognizance has
been taken under Section 498A of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act.

3. Allegedly the marriage of the petitioner was
solemnized with the O.P.No.2 in the year 2014. However, soon
after the marriage, the O.P. No.2 was subjected to demand of
dowry and, on non-fulfillment of the same, she was harassed
and torture by various ways which resulted into filing of the
present complaint case.



4. Learned counsel for the petitioner submits that, in fact, all the family members made accused in the case with general and omnibus allegation. As a matter of fact, the complainant herself solemnized second marriage with one Bittu Kumar and she has been residing with him. He further submits that irrespective of the fact, the petitioner is still ready to keep his wife with full honour and dignity. He drew the attention of the Court to the impugned order and with reference thereto, he submits that the O.P. No.2 was noticed by the court below but she did not appear, and as such, it appears that she is not ready and willing to reside with the petitioner. The petitioner bears no criminal antecedent.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration that the O.P. No.2 has not been residing with the petitioner since long and she did not even appear despite notice being served upon her by the court below, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 Additional Chief Judicial Magistrate, Patna City, in connection with Complaint Case No. 342 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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