

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43164 of 2024

Arising Out of PS. Case No.-746 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

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Ramawatar Kumar S/O - BALIRAM CHAUHAN Resident of village
Jamuain, P.S. Madanpur, District - Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Kumari W/O- Ramawatar Kuma, D/O- Ajay Mahto R/O- Vill-
Bhadaur, P.S- Bhadaur, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

2 20-07-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of anticipatory bail apprehending his arrest in connection with Complaint Case no. 746 of 2023 registered under sections 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

3. As per the prosecution case, the complainant states that she was married to the petitioner on 28.6.2020. On her going to her *sasural*, the accused persons including the petitioner herein who happens to be her husband started to physically and mentally torture her making a demand of Rs. 5 lakhs.



4. Learned counsel for the petitioner submits that the petitioner has been falsely been implicated in the case. The allegations against the petitioner are all false and concocted. A child was born out of the said wedlock. The petitioner has always been ready to keep the complainant, however referring to the order of the learned trial Court it is submitted that attempt at reconciliation between the parties in the Court below, ended in failure as the complainant was not ready to live with her. Learned counsel further submits that so far as the observation of the learned Court below with respect to the petitioner not willing to keep her is concerned is incorrect. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the petition of complaint together with the observation of the learned trial Court wherein it has been observed that the complainant does not want to live with her husband and the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Complaint Case no. 746 of



2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Barh, Patna.

(Partha Sarthy, J)

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