

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12366 of 2015

Arising Out of PS.Case No. -2941 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

Indrajeet Mahto

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Ajit Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code.

The accusation is of torture for non-fulfilment of the dowry demand. The factum of marriage between the petitioner and the complainant having no issue is admitted fact.

Learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

“That it is also relevant to mention here that the petitioner is ready to keep Opposite Party No.2 (complainant) as the wife with full dignity and affection.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 17th of August, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 2941C of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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