

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5091 of 2015

Arising Out of PS.Case No. -2177 Year- 2011 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Indradeo Mandal
 2. Sitaram Mandal @ Sitaram Singh
 3. Urmila Devi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Doli Devi Wife of Indradeo Mandal Daughter of Sri Karu Mandal
resident of Mohalla - Parbatti, P.S. - Vishwavidyalaya, District - Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2015 Heard learned counsels for the petitioners and the State.

The petitioner no.1 is the husband of the complainant and petitioner nos. 2 and 3 being the parents of petitioner no.1 are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand.

Though, earlier a case under Section 304B IPC was instituted but after recovery of the complainant and on the basis of

compromise, the matter was disposed of.

On instruction, learned counsel for the petitioners submits that the petitioner no.1 is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 14 of the petition.

Considering the present stand of the petitioner no.1, let the above named petitioner no.1 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 SDJM, Bhagalpur in connection with Complaint Case No. 2177 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner no.1 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no.1 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.

Considering the present stand of the petitioner no.1, let the above named petitioner nos. 2 and 3 be released on anticipatory bail 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) each with two sureties of the like amount each to the satisfaction of learned SDJM, Bhagalpur in connection with Complaint Case No. 2177 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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