

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17468 of 2015

Arising Out of PS.Case No. -1459 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Bikash Kumar Mandal @ Bikash Mandal Son of Late Mohan Mandal,
Resident of Village - Tikapatti, Police Station - Tikapatti, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi, Wife of Bikash Kumar Mandal, Daughter of Hari Singh,
Resident of Village - Bhandartal, Police Station - Barari, District - katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar
For the Opposite Party/s : Mr. Pramod Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-05-2015 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 processes were directed to be issued after cognizance being taken under Section 406 and 498A of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner

is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 11 of the petition which reads as follows:

“That it is submitted here that the petitioner and his family members are ready and willing to keep and maintain the complainant with her full honour and dignity.”

Considering the present stand of the petitioner, 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Katihar in connection with Complaint Case No. 1459 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

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

(Dinesh Kumar Singh, J)

Anil/-

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