

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22314 of 2015**

Arising Out of PS.Case No. -564 Year- 2011 Thana -KHAGARIA COMPALINT CASE District-  
KHAGARIA

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1. Manohar Mahton S/o Sri Arun Mahton resident of village - Chandpur  
Bhajua, P.S. Gogri, Distt- Khagaria

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Amita Kumari wife of Manohar Mahton, Daughter of Sri Ram Kumar  
Mahton at present resident of Chhoti Belha, P.S. Mansi, Dist- Khagaria

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rama Kant Jha

For the Opposite Party/s : Mr. M.K.Khare(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      06-07-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein  
processes were 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 basic accusation is of torture for non-  
fulfilment of dowry demand.

On instructions, it is submitted by learned  
counsel for the petitioner that petitioner is ready to keep the  
complainant as wife with full dignity and honour. A statement  
to that effect has been made in para 10 of the petition. The  
relevant portion of which reads as follows:-

“.....However

petitioner is ready to keep her with the dignity

and honour.....”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 564C of 2011.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

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