

Arising Out of PS.Case No. -278 Year- 2013 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

.... Petitioner/s

1. The State of Bihar
2. Rinki Devi Wife of Manoj Kumar Mishra, D/o Late Birendra Kumar Pathak R/o Village Gogri, Brahmin Tola, P.S. Gogri, District Khagaria, at present residing at the house of Late Birendra Nath Pathak, R/o Village Chak Sekhu, Ward NO 4, P.S. Dalsingsarai, District Samastipur

.... Opposite Party/s

For the Petitioner/s : Mr. Sujit Kumar Singh
For the Opposite Party/s : Mr. Nityanand Tiwary(App)

2 09-02-2015 Heard learned counsels for the petitioner,
complainant and the State.

The petitioner being 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 Section 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner

on instructions that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 14 of the petitioner which reads as follows:

“That the petitioner is always ready to keep the complainant with all respect and love and affection.”

The petitioner claims to have filed restitution case also prior to the filing of the present complaint.

Learned counsel for the complainant submits that the complainant is not ready to accept the offer of the petitioner since the petitioner has some illicit relationship with some other lady and he has tortured the complainant earlier.

Considering the fact that the accusation of illicit relationship of the petitioner has not been made in the complaint and the present stand of the petitioner, let the above named petitioner 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Dalsinghsarai, Samastipur in connection with Complaint Case No. 278 of

2013 subject to the conditions as laid down under Section
438(2) Cr.P.C.



Anil/-

(Dinesh Kumar Singh, J)

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