

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43702 of 2014

Arising Out of PS.Case No. -636 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Manohar Das Son of Ram Prasad Das Resident of Village - Pipraun, P.S.
- Harlakhi, Distt. - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

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

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

2 12-03-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the
complainant is apprehending arrest in a complaint case filed
with accusation under Sections 323,341,379,498A and 494
of the Indian Penal Code.

The basic accusation is of torture for non
fulfillment of dowry demands and performing second
marriage.

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. 10 of the petition which reads as follows:

“That this petitioner is still ready to keep his wife, the complainant with full honour and dignity.”

It is further submitted that the petitioner has not performed second marriage.

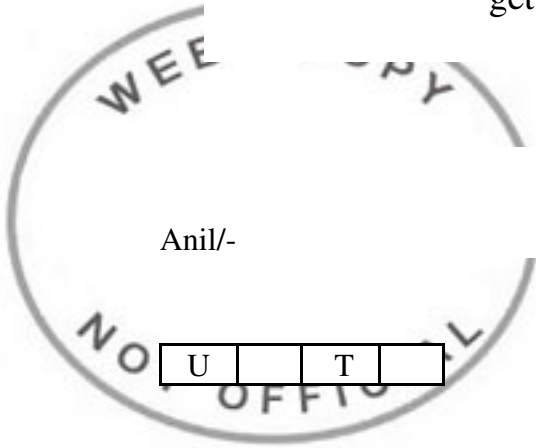
Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Madhubani in connection with Complaint Case No. 636 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)