

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49850 of 2014

Arising Out of PS.Case No. -8503 Year- 2013 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Manohar Roy @ Manohar Kumar Son of Ram Yatan Rai Resident of
Village Bari Bigha, Mohan Tola, P.S. Muffasil, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sulekha Devi Daughter of Fonu Mahto Presently residing at Village -
Sukkar Pathaia, Mohnar ward No. 15, P.S. Mahnar, District - Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 10-02-2015 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

Sections 498A and 323/34 of the Indian Penal Code.

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. 6 of the petition which reads as follows:

“That the petitioner is husband of the complainant and he is always ready to keep his wife with full honour and dignity. This case has been filed after lapse of nine years of marriage.”

It is further submitted that the petitioner has also filed restitution case.

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 JM Ist Class, Begusarai in connection with Complaint Case No. 8503C 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.

Anil/-

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(Dinesh Kumar Singh, J)