

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45730 of 2013

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1. Upendra Manjhi S/O Late Ramjee Manjhi Resident Of Village Saidpur,
P.S. Kako, District-Jehanabad.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Rubi Devi, D/o Chai Manjhi, Village- Bhande Bigha, P.S.- Jehanabad,
District- Jehanabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey, Advocate

For the Opposite Party/s : Mr. Asha Devi(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 02-02-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323 and 498A of the Indian Penal Code.

The accusation is of torture for non-fulfillment of the dowry demand.

On instruction it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement in this regard has been made in para-8 of the petition which reads as follows:-

“That the petitioner is ready to

keep the complainant with honour if she became ready to live the petitioner.”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Jehanabad in connection with Complaint Case No. 1075 of 2010, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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