

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37141 of 2015

Arising Out of PS.Case No. -1562 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

Subodh Mehta, S/o Siya Ram Mehta, resident of village- Joteli, P.S.- Pureni
(Majora O.P.), District- Madhepura

.... Petitioner/s

Versus

1. State of Bihar
2. Asha Devi, D/o Late Upendra Mehta, resident of village- Balu Tola,
P.O.- Neerpur, Panchayat- Orlaha, P.S.- B.Kahi, District- Purnea

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. A.K.Choudhary(App)

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

ORAL ORDER

2 18-08-2015

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 Section 498A of the Indian Penal Code and 4 of the
Dowry Prohibition Act.

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

It is submitted by the learned counsel for the
petitioner that petitioner admits the marriage with the
complainant and has filed Matrimonial Case No. 255 of
2014 for restitution of conjugal rights. Moreover, the

petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 10 of the petition which reads as follows:-

“That the petitioner being husband he is always ready to keep opposite party no. 2 with full honour and dignity.”

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 Sub-Divisional Judicial Magistrate, Purnea in connection with Complaint Case No. 1562 of 2014, 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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