

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52365 of 2015

Arising Out of PS.Case No. -185 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Arvind Manjhi, son of Jamun Manjhi, resident of Village-Raghurampur,
P.S.-Gaurichak, District-Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Anita Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-11-2015

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is a labourer and he was keeping the complainant as wife with full care and dignity and still ready to keep her with full care and dignity as wife.”

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before learned Court below on 30th of November, 2015, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Complaint Case No. 185(C) of 2013.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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