

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55919 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -DUMRA District- SITAMARHI

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1. Naresh Mandal son of Shivdhari Mandal, Resident of village- Kumhra
Bishanpur Bhairrolal Tola, P.S. Dumra, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Nagina Devi, W/o Naresh Mandal, D/o Sitaram Mandal, presently
residing at village Bajri, P.s.- Bajpatti, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 09-12-2015 Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offence punishable under Section 323,341,307 and 498A of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitione admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour.

Statement to the aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

“ That it is also submitted that the petitioner is ready to keep the complainant with full respect 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 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 CJM, Sitamarhi in connection with Dumra P.S. Case No. 61 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance the petitioner will take the informant 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 informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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