

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39557 of 2015

Arising Out of PS.Case No. -2813 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Ramesh Mahto son of Upendra Mahto, resident of Village-Ekanni,
Sarochia, P.S.-Kasba, District-Purnea

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh

For the Opposite Party/s : Mr. Ajit Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015

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

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

On instructions, it is submitted by learned
counsel for the petitioner that petitioner admits his marriage
with the complainant and has filed Matrimonial Case No. 85 of
2014 for restitution of conjugal life. It is further submitted that
petitioner 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 it is humbly stated that the
petitioner still ready and willing to accept the complainant

as wife with full honour and respect and as such the petitioner may be granted bail on this ground”

Considering the present stand of the petitioner, 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 Sub-Divisional Judicial Magistrate, Purnea in connection with Complaint Case No. 2813 of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

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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