

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43865 of 2015

Arising Out of PS.Case No. -3493 Year- 2011 Thana -SARAN COMPLAINT CASE District-
SARAN

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Sawan Mahto son of Late Mukhadeo Mahto, resident of Village-Doliya,
P.S.-Isuwapur, District-Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi, wife of Sawan Mahto, daughter of Laldeo Mahto,
resident of Village-Doliya P.S.-Isuwapur, District-Saran, at present
Village-Sattuwan, P.S.-Baniyapur, District-Saran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-09-2015

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 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 10 of the petition which reads as follows:-

“That is relevant to state

here that petitioner is ready to lead his matrimonial life with his wife peacefully and also give proper respect with full dignity.”

Considering the aforesaid 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, Saran at Chapra in connection with Complaint Case No. 3493 of 2011.

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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