

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32948 of 2014

Arising Out of PS.Case No. -1481 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

Mithun Mandal S/o Genalal Mandal resident of village - Bhutahabari,
Dutarpur, P.S. Manihari, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Meera Devi W/o Mithun Mandal, D/O Sudhir Mandal resident of village
- Hari Prasad, P.S. Mansahi, District - Katihar.

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 06-02-2015 Heard both sides.

The petitioner apprehends his arrest in Katihar
Complaint Case No. 1481/2013 registered under Sections
498(A)/34 of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

The complainant-wife made allegation against the
petitioner-husband that he subjected her to physical and mental
torture due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the
wife is not willing to live with the petitioner. The petitioner filed
Matrimonial Case No. 256/2013 for restitution of conjugal rights.
After 20 days of filing of the matrimonial case, the complainant

lodged this case. It is further submitted that the petitioner came to know that his wife has already solemnized second marriage.

Considering the facts that earlier the petitioner filed a suit for restitution of conjugal rights and thereafter the complainant filed the present complaint case, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in Katihar Complaint Case No. C.A. 1481/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Dilip/-

(Prabhat Kumar Jha, J)

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