

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23861 of 2015**

Arising Out of PS.Case No. -4409 Year- 2014 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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1. Raju Mandal S/o Garbhu Mandal Resident of village - Maliniya, P.S.  
Sarsi, Distt. - Purnea

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Mina Devi D/o Late Chamaklall Mandal Resident of vill. - Phulwaria,  
P.S. Dhamdhala, Distt. - Purnea

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manish Kumar

For the Opposite Party/s : Mr. Jitendra Kr. Roy No.1(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR**  
**SINGH**  
**ORAL ORDER**

2      26-06-2015                      Heard learned counsels for the petitioner and the  
  
State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

Learned counsel for the petitioner accepts the marriage between the petitioner and the complainant having no issue. On instructions, it is submitted that the

petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 7 of the petition the relevant portion of which reads as follows:

“That the petitioner is a husband of the complainant and he is ready to keep her with full 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 JM 2<sup>nd</sup> Class, Purnea in connection with Complaint Case No. 4409 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

**(Dinesh Kumar Singh, J)**

Anil/-

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