

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9823 of 2016

Arising Out of PS.Case No. -15 Year- 2015 Thana -MAHILA P.S. District- MUNGER

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Satish Mahto @ Chatish Mahto

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Dharendra Pratap Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and under section 3/4 of Dowry Prohibition Act.

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

The petitioner admits marriage with the complainant. 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. 6 of the petition which reads as follows:

“6. That at the very out set it is submitted that the petitioner is always ready to keep informant with all dignity and love but informant being dissatisfied with the income and standard of living at petitioner’s place and thus to snap the

matrimonial relation and to get something out of it the present false case has been lodged.”

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 ACJM –III, Munger in connection with Mahila P.S. Case No. 15 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 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)

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