

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10978 of 2016

Arising Out of PS.Case No. -1338 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Manish Kumar Mandal @ Manish Kumar, Son of Uttam Mandal,
Resident of Village- Kapsouna, Post- Belthu, P.S.- Shahkund, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puja Devi, Wife of Manish Kumar Mandal, daughter of Sri Ashok
Raypati, Resident of Village- Gobroy, P.S- Shahkund (Sajour), District-
Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-03-2016 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 ³/₄ 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 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 18 of the petition which reads as follows:-

“That in spite of all those things

the petitioner being a responsible person of the locality

undertakes that he is still ready to keep his wife/complainant with all regards and dignities provided she also becomes ready for that”

It is further submitted that similar was the stand of the petitioner before learned Court below when the matter was referred to the mediation but before the mediator the complainant did not accept the offer of the petitioner since she was apprehensive of the past conduct of the petitioner.

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 anticipatory bail 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, Bhagalpur in connection with Complaint Case No. 1338 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The present order will not preclude the complainant to resume the conjugal life. If the complainant files an application before learned Court below expressing willingness to resume the conjugal rite then learned Court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

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