

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23657 of 2016

Arising Out of PS.Case No. -1740 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Akhilesh Kumar Mandal @ Akhilesh Mandal son of Bir Narayan Mandal ,
Resident of village Bawanganj, P.S. Korha, district Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

2. khushbu Devi daughter of maya prasad Das, Wife of Akhilesh Kumar
Mandal, Resident of village majgama, P.O. Sahja, P.s. District Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Nawal Kishore Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Sections 498A of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the
dowry demand.

Learned counsel for the petitioner submits that the
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 11 of the petition which reads as follows:-

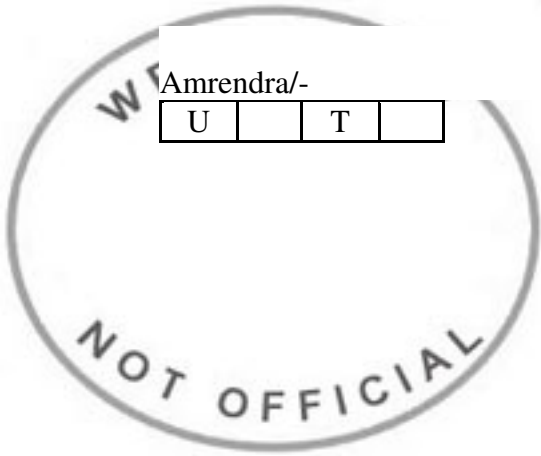
“That the petitioner is ready to keep his wife (Opposite Party no.2) with love, dignity and honour which she deserves.....”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Katihar in connection with C.A. Case No. 1740 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 for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or

(iii) if the complainant gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)