

Arising from the above facts, it is submitted that the

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Madan Mohan Prasad,
P.S.- Madan Mohan Prasad,

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2. Priya
reside
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Madan Giri Son of Rajeshwar Giri resident of Village- Dulma Panch Anna
P.S.- Madhuban District- East Champaran.

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Vijay Shankar Shrivastava
For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

03/ 27-10-2016

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 406, 323 of the Indian Penal Code.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the



complainant and is ready to keep the complainant as wife with full dignity and honour and made this offer to the complainant earlier also but the complainant did not accept the offer then the petitioner filed Matrimonial Suit No. 54 of 2015 on 21.02.2015 with a prayer for divorce and thereafter the present complaint has been filed on 16.07.2015, however, it is submitted by learned counsel for the complainant that the complaint was filed on 16.02.2015. However, the petitioner is still ready to keep the complainant with full dignity and honour.

Counsel for the complainant submits that the complainant is ready to accept the present offer of the petitioner.

Both sides agree to appear before the learned court below on 15th of November, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with

Complaint Case No. C-1483 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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