

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14956 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Chhanguri Mandal, S/o Bilo Mandal, resident of village- Athgama Basa,
Panchayat Gangapur, O.P.- Ratwara, P.S.- Alamnagar, District- Madhepura
..... Petitioner/s

Versus

The State of Bihar & Anr

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-08-2016 Heard learned counsel for the petitioner and the
State.

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

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

The petitioner and informant are present.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para-

15 of the petition which reads as follows:-

“That the petitioner is ready to keep the complainant with full dignity and honour as a wife.”

It is submitted by the learned counsel for the complainant that though the petitioner has performed second marriage, but still the complainant is ready to accept the offer of the petitioner and she is apprehensive due to past conduct of the petitioner.

Considering the present stand of the petitioner, 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 Sub-Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Complaint Case No. 117 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Both the petitioner and informant agree to appear before the learned court below on 5th of September, 2016 when 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 within six months 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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