

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39192 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -MAHILA P.S District- SUPAUL

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1. Pawan Kumar Mandal son of Bhuvneshwari Mandal, resident of village- Kaushali- Patti, Police Station- Pipra and District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Meena Devi wife of Pawan Kumar Mandal, resident of village- Kaushali- Patti, Police Station- Pipra and District- Supaul. At present resident of village- Bishanpur, P.O.- Laur, Police Station and District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Goutam

For the Opposite Party/s : Mr. S.Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 09-02-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 316/511, 504 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and making an attempt to get the pregnancy terminated.

The informant/O.P. No. 2 and the petitioner are present.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and birth of a child and he is ready to keep the informant and child with dignity and honour. Though statement to that effect has not been made in the petition.

It is submitted by learned counsel for the informant that in spite of the fact that petitioner has performed second marriage, the informant is ready to resume the conjugal life provided petitioner keeps her with dignity and honour.

Both sides agree to appear before learned Court below on 29th of February, 2015, when the petitioner will take the informant and child to the matrimonial house to keep them full dignity and honour.

Considering the present stand of the parties, 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 provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Supaul in connection with Supaul Mahila P.S. Case No. 36 of 2015.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of six months (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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