

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38711 of 2016

Arising Out of PS.Case No. -1376 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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Gulab Mahto @ Gulab Kumar Mahto, son of Satnarayan Mahto, resident of
village Dariyapur, P.S. Samastipur Muffasil, district Samastipur
..... Petitioner

Versus

1. The State of Bihar
2. Mala Devi, daughter of Harishchandra Mahto and wife of Gulab Mahto,
resident of village Mordiva, P.S. Samastipur Muffasil, district
Samastipur
..... Opposite Parties

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Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha, Adv.
For the Opposite Parties : Mr. Ram Naresh Ray, APP 212

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 05-09-2016 Heard the learned counsel for the petitioner and the
State.

The petitioner is the husband of the complainant and
languishing in jail since 16.05.2016 registered under Sections 323
and 498A of the Indian Penal Code and process has been issued
under Sections 498A of the Indian Penal Code and 3 and 4 of the
Dowry Prohibition Act.

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

The 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. Statement to the aforesaid effect has been made in
paragraph no. 10 of the petition, which reads as follows :

“That the petitioner is ready to keep his wife with full
dignity as per capacity.”

It is also submitted by the learned counsel for the

petitioner that the petitioner has filed Matrimonial Suit No. 191 of 2014 for restitution of conjugal life under Section 9 of the Hindu Marriage Act in the Court of the Principal Judge, Family Court, Samastipur. More over, the allegation is baseless.

Considering the present stand of the petitioner and investigation being concluded, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 1376 of 2014 (T.R. No. 3410 of 2016) to the satisfaction of the Subdivisional Judicial Magistrate, Samastipur.

(Dinesh Kumar Singh, J)

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