

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31674 of 2016

Arising Out of PS.Case No. -1499 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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Vijay Mandal @ Vijay Kumar Mandal Son of Musharu Mandal Resident of
Village- Chunni, P.S. Chhatapur, District Supaul.

.... Petitioner

Versus

1. The State of Bihar
2. Reena Devi D/o Rameshwar Mandal Resident of Israinkala, P.S Kumar
Khand, District Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Madan Kumar

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

2 09-08-2016

Heard learned counsel for the parties.

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 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demands after eight years of the marriage.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and he is ready to keep the complainant with full dignity and honour. Statement to that effect has been made in paragraph 8 of the petition. It is further submitted that though the petitioner has filed

matrimonial suit with a prayer for divorce but the petitioner is ready to withdraw the same though statement to that effect has not been made by the petitioner in this petition.

Considering the present stand of the petitioner, let the abovenamed 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Supaul in Complaint Case No. 1499C/2015, subject to the conditions as laid down under section 438(2) of the 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 the 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)

Surendra/-

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