

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73677 of 2018

Arising Out of PS. Case No.-91 Year-2018 Thana- MAHILA P.S. District- Araria

Rupesh Kumar Mandal, S/o Bharath Mandal, resident of Village- Viratpur
(Baghwa), P.S.- Bathnaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nishant Kumar Sinha
For the Opposite Party/s : Mr.Sri Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

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

The prosecution case, as per the informant is that the marriage between the informant Usha Devi and petitioner Rupesh Kumar Mandal was performed twelve years prior to the lodging of the case, subsequently, they were blessed with two sons thereafter, further dowry demand of two lakh rupees and a milchy buffalo was made and on 30.08.2018 the informant was driven out from the house after snatching away her belongings.

It is submitted by learned counsel for the petitioner



that the petitioner admits his marriage with the informant and birth of two sons. He is still ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

“That the petitioner is always ready to keep his wife along with his two sons with full respect and dignity.”

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 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, Araria in connection with Araria Mahila P.S. Case No. 91 of 2018, 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 informant for her appearance. On her appearance, the petitioner will take the informant to her matrimonial house 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, or (ii) if the informant fails to appear before the learned Court below, or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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