

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28452 of 2019

Arising Out of PS. Case No.-1613 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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RUDAL MANDAL S/o Late Mahesh Mandal Resident of Village-
Khawaspur, P.S.- Ekchhari, District- Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Putul Devi D/o Late Basudeo Mandal Resident of Village- Rasidpur, P.O.-
Champanagar, P.S.- Nathnagar, District- Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 30-04-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.1613 of 2016 registered under Section 498(A) and
other Sections of the Indian Penal Code.

The learned counsel for the petitioner submits that the
marriage of the petitioner was solemnised with the complainant
in the year 2006 but the complainant later on deserted the
petitioner and she was not willing to restore conjugal relation
with the petitioner. Consequently, the petitioner filed a petition
under Section 9 of Hindu Marriage Act being Marriage Case
No.355 of 2015 for restitution of conjugal rights. When the
complainant received the notice, the complainant filed this case



in the year 2016 making allegation of demand of dowry and torture.

Taking into consideration the fact that prior to institution of the present complaint case by the wife of the petitioner, the petitioner filed Marriage Case No.355 of 2015 for restitution of conjugal rights, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Bhagalpur in connection with Complaint Case No.1613 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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