

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28510 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- KATIHAR MUFFASIL District- Katihar

ARVIND KUMAR MANDAL, S/O Shyam Lal Mandal, Resident of Naya Tola, P.S.- Muffasil, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi, w/o Arvind Kumar Mandal, d/o Bhudeo Mandal, presently residing at village Deharganj, P.S. Hasanganj, Dist. Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha
For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Katihar Muffasil P.S. Case No. 27 of 2019 instituted for the offences punishable under Sections 341, 323, 494, 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is that he subjected the opposite party No.2-wife to cruelty and harassment with respect to demand of Rs.5 lac and there is also allegation that petitioner performed second marriage with another lady.

Submission of learned counsel for the petitioner is that with consent of opposite party No.2 he solemnized the second marriage and he is still ready to keep opposite party No.2 with him with dignity and care and considering the same



the matter was referred to the Patna High Court Mediation and Conciliation Centre by order dated 22.7.2019 but she has not appeared before the Mediator which will appear from the report of Mediator at Flag 'M'.

Heard learned APP and learned counsel for opposite party No.2. Learned counsel for opposite party No.2 though opposed the prayer for anticipatory bail of the petitioner but after some argument he has submitted that she is also ready to reside with the petitioner if she is allowed to live with dignity and care and her expenses be incurred by the petitioner.

In view of above facts and circumstances, let petitioner surrender in the court below on 28.8.2019 and on that day opposite party No.2 shall also remain present in court. On filing of an affidavit by the petitioner that he is ready to keep her with dignity and care and also to take her from the court itself to his house, he shall be released on provisional bail for a period of six months by the court below itself and during that period the court below will watch their conduct and their marital relationship by calling them in third weeks of every month and once the court is satisfied with their conduct, specially the petitioner and their marital relationship, the court below shall confirmed the bail bonds of the petitioner, otherwise the court is



free to pass any other order(s) as it may deem fit and proper,
including cancellation of bail bonds of the petitioner.

With the above observation, this application is
disposed of.

(Vinod Kumar Sinha, J)

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