

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.683 of 2020

Arising Out of PS. Case No.-69 Year-2016 Thana- MANSI District- Khagaria

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JITENDRA @ JITO MANDAL Son of Bilash Mandal Resident of Village -
English Banni, P.S.- Maheshkhunt, Distt.- Khagaria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sonamati Devi D/o Guneshwar Sahani Resident of Village - Chukti, P.S.-
Mansi, Distt.- Khagaria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajit Kumar, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 05-03-2021 Heard both sides.

The petitioner apprehends his arrest in Mansi P.S.

Case No.69 of 2016 registered under Sections 323, 498A and
494 of the Indian Penal Code and under Sections 3 and 4 of
Dowry Prohibition Act.

The learned counsel for the petitioner submits that
petitioner is the husband of the informant. The petitioner is
ready to keep his wife. All the allegations are false and
concocted. The petitioner has not solemnised second marriage.
The prayer for anticipatory bail of the petitioner was rejected on
the ground that investigating officer extended privilege of
Section 41A of the Cr.P.C. to the petitioner but the petitioner has
got every apprehension of being arrested.



Taking into consideration the facts that the petitioner is ready to keep his wife, the petitioner, above named, is directed to surrender before the court below within a period of four weeks from today and on such, learned court below shall enlarge the petitioner on **provisional** anticipatory bail for four months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Khagaria/Successor Court in connection with Mansi P.S. Case No.69 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between the husband and the wife. If the dispute is amicably resolved, the provisional bail granted to the petitioner shall be confirmed. If the dispute between the husband and the wife is not amicably resolved and petitioner is not willing to keep his wife, learned court below shall pass order in accordance with law on the provisional bail of the petitioner immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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