

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85546 of 2019

Arising Out of PS. Case No.-910 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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PRAMOD MAHTO Son of Late Prakash Mahto, Resident of Village - Kansi
Simri Pasi Tola, P.S.- Simari, Distt.- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi W/o Pramod Mahto, D/o Dinesh Mahto, Resident of Village -
Shila Nath Barhi, P.S.- Jay Nagar, Distt.- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Ms.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-02-2021 Heard both sides.

The notice was served through ordinary process on
opposite party no.2 but opposite party no.2 has not appeared.

The petitioner apprehends his arrest in Complaint
Case No.910 of 2018 for the offences allegedly committed by
the petitioner under Sections 498A, 494 and 34 of the Indian
Penal Code and under Sections 3 and 4 of the Dowry
Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is ready to keep his wife with all honour and dignity.
The allegation of solemnizing second marriage is not true.

Taking into consideration the fact that the petitioner is



ready to keep his wife with all honour and dignity, the above named petitioner is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional anticipatory bail for six months on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani in connection with Complaint Case No.910 of 2018 corresponding to T.R. No.2754 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. Thereafter the court below shall make efforts for reconciliation between the husband and the wife. If the dispute is amicably resolved and the petitioner keeps his wife properly, the provisional anticipatory bail granted to the petitioner shall be confirmed and if the dispute is not resolved between the husband and the wife, the court below shall pass order in accordance with law on the provisional bail of the petitioner immediately after lapse of six months.

(Prabhat Kumar Jha, J)

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