

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65931 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- MAHILA PS District- Darbhanga

Satyajeet Mandal, Aged about 29 years, Gender – Male, Son of Dinesh Mandal, Resident of Village - Gangauli, Kanakpur Ujan P.S. Sakatpur, District - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari Wife of Satyajeet Mandal, D/o Late Ramkaran Mandal Resident of Village-Bhatpura, P.S.-Manigachhi, District-Darbhangha.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Prasad, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-10-2023 Heard Mr. Baidya Nath Prasad, learned counsel appearing on behalf of the petitioner and Mr. Sanjay Kumar Tiwary, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Mahila P.S. Case No. 24 of 2023 registered for the offence punishable under Sections 498(A), 323, 354(B), 504, 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

3. Allegation against the petitioner is to have assaulted the opposite party no.2 for non-fulfillment of demand of dowry.

4. Learned counsel appearing on behalf of the petitioner submits that due to strained matrimonial relationship



between the petitioner and the opposite party no.2, who is legally wedded wife of the petitioner, the present complaint has been filed. Learned counsel further submits that the petitioner is ready to keep opposite party no.2 with full dignity and honour and he will also satisfy her physical desire and support her by meeting all her expenses.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. District Court is directed to issue notice to the informant / complainant to appear before the court by fixing any date of hearing, not beyond a period of six weeks, from the date of passing of this order and seek her desire as to whether she is willing to live along with the petitioner or not. In case, she is ready to live with the petitioner and taking into account the submission given by the petitioner that he is ready to keep the opposite party no.2 with full dignity and honour and he will also satisfy her all physical need and monetary requirement, petitioner is directed to be released on **provisional bail** in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga, in



connection with Mahila P.S. Case No. 24 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The provisional bail granted to the petitioner shall be confirmed after observing the conduct of both the parties. In case any of the parties complains before the court, then in that case, they are at liberty to avail remedy in accordance with law. In case the parties have resolved their dispute amicably and they reside happily with each other, in that case, provisional bail granted to the petitioner shall be confirmed after a period of one year.

8. With the aforesaid observation/direction, the application stands disposed of.

(Purnendu Singh, J)

Niraj/-

U		T	
---	--	---	--

