

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31530 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -BATHNAHA District- SITAMARHI

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Md. Ashraf Ali son of Md. Alim, resident of Village-Gobardhan, P.S.-
Bathnaha, District-Sitamarhi

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Rajendra Singh Shastri Ji(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-08-2015

Petitioner being husband of the informant is

apprehending his arrest in a case registered for the offences punishable under Sections 323, 379, 498A, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

On instructions, it is submitted by learned counsel for the petitioner that petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That, the petitioner is ready
and willing to keep the informant as wife at his home
with full honour and dignity along with his one daughter”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his

arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bathnaha P.S. Case No. 16 of 2015.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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