

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11785 of 2015

Arising Out of PS.Case No. -706 Year- 2012 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Md. Shamim, S/o Md. Jalil, resident of village- Gangjala Islamia Chowk,
ward no. 15, Police Station- Saharsa, District- Saharsa

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

2 23-03-2015

Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case in
which processes have been directed to be issued after
cognizance being taken for the offences punishable under
Section 498A of the Indian Penal Code and 4 of the Dowry
Prohibition Act.

The accusation is of torture for non-fulfillment of
the dowry demand.

On instruction it is submitted by learned counsel
for the petitioner that the petitioner is ready to keep the
complainant as wife with full dignity and honour.

Considering the present stand of the petitioner, let
the above named petitioner be released on provisional

anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhepura in connection with Complaint Case No. 706 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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