

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7504 of 2015

Arising Out of PS.Case No. -2508 Year- 2013 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Mohammad Shakil Son of Sher Mohammad @ Gamma Resident of
Village : Husepur, P.S. Ekma, District : Chapra (Saran).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nazia Khatoon Daughter of Intazar resident of Village : Bagaura, P.O. +
P.S. Daraunda, District : Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Nirmal Kumar Sinha(APP)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 03-03-2015 Learned counsel for the petitioner is permitted to
make correction in the petition.

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
Sections 498A, 323/34, 406 of the Indian Penal Code and 3/4
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, Siwan in connection with Complaint Case No. 2508 of 2013, 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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