

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8508 of 2015

Arising Out of PS.Case No. -501 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Aftab Alam

.... Petitioner

Versus

1. The State of Bihar.
2. Mubina Khatoon.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate.

For the State : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-02-2015

Heard the learned counsels for the
petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498(A)/34 of the Indian Penal Code.

The accusation is of torture for non-fulfillment of 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, a statement to that effect has been made in paragraph no. 11 of the petition which reads as follows:-

"11. That in spite of the aforesaid allegation the petitioner is still ready to keep the complainant with him with full honour and dignity as

a duly wedded wife.”

Considering the present stand of the petitioner, let the petitioner, above named, be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Complaint Case No. 501 of 2013 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Let the learned court below issue notice to the complainant and 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 by the learned court below in three eventualities i.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the complainant fails to appear before the learned court below (iii) or she gets reluctant to reconcile the issue.

U.K./-

(Dinesh Kumar Singh, J)

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