

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11341 of 2015

Arising Out of PS.Case No. -367 Year- 2009 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Md. Touhid @ Md. Ekbal @ Ekbal so of Late Md. Taiyyab resident of
village Ahisdih, P.s.. Jamalpur, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gulnaz Begum D/o Md. Rahmatullah R/o vill- Samami , P.s. Mahishi,
Distt- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-I(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 19-03-2015 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 323, 341, 379, 498A 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. No such

statement has been made in the petition.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 Chief Judicial Magistrate, Saharsa in connection with Complaint Case No. 367-C of 2009, 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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