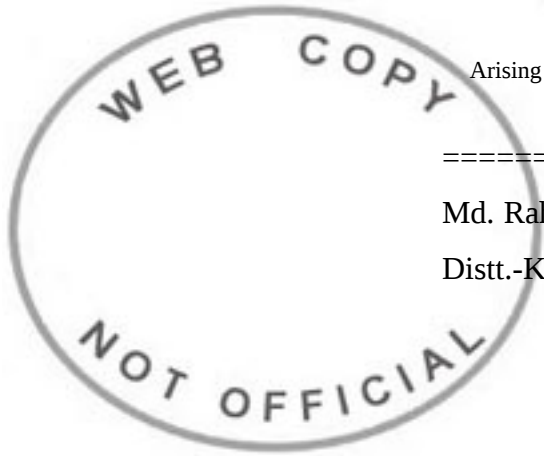


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2362 of 2015



Arising Out of PS.Case No. -2180 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

=====

Md. Rahim S/O Late Latifur Rahman Resident of vill-Puriya, P.S-Abadpur,
Distt.-Katihar

.... Petitioner/s

Versus

- 1. The State of Bihar
- 2. Bano Khatoon Wife of Md.Rahim,D/O Nomiruddin Resident of vill-
Abadpur,Naya Toli, P.S-Abadpur, Distt.-Katihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal
For the Opposite Party/s : Mr. Rajesh Kumar,APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-01-2015 Heard learned counsels 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/34

of the Indian Penal Code and 4 of Dowry Prohibition Act.

The basic accusation is of torture.

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. Statement to that effect has been made in para 11 of the petition.

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, Katihar in connection with Complaint Case No. 2180 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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