

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14029 of 2015

Arising Out of PS.Case No. -2295 Year- 2013 Thana -COMPLAINT CASE District- BANKA

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Gulam Karim @ Md. Karim Son of Md. Salim @ Md. Samim

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Suraiya Wife of Gulam Karim @ Md. Karim, D/o Md. Maniruddin

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Nurul Hoda, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act wherein process has been directed to be issued after cognizance being taken.

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

The marriage between the petitioner and the complainant and birth of four children are admitted facts.

Learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour.

Learned counsel for the complainant submits that the complainant accepts the offer of the petitioner.

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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Banka in connection with Complaint Case No. 2295 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 2nd June 2015 when the petitioner will take the complainant and alls the children to keep them with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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