

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32487 of 2015

Arising Out of PS.Case No. -150 Year- 2014 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Md. Nazir Ahmad S/o Late Jamaluddin @ Jalaluddin, Resident of village-
Harpur Nag, P.S.- Mehshi, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Aiysha Khatoon W/O Md. Nazir Ahmad D/o Md. Naimuddin Ansari,
present residing in village- Dargawa, P.S.- Mehshi, District- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap (App)

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

03/ 23-11-2015

Though, the matter is listed under the heading of
‘Orders’ but since both the sides appeared the matter has been
taken up.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 341, 323, 313, 498A/34 of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand and terminating the pregnancy.

It is submitted by learned counsel for the
petitioner that the petitioner has performed second marriage but he

is still ready to keep the informant with full dignity and honour.

Though, statement to that effect has not been made in the petition.

The petitioner and the informant are present in the Court.

Counsel for the informant submits that the informant is still ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 10th December, 2015 when the petitioner file an affidavit to the effect that he will keep the informant as wife with full dignity and honour and he will take the informant to his wife to keep her with dignity and honour.

Considering the present stand of the parties, 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 Judicial Magistrate, Ist Class, Motihari in connection with Mehshi P.S.s Case No. 150 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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 informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)

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