

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26723 of 2015

Arising Out of PS.Case No. -7 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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Md. Khurshid Ansari @ Md. Khurshid Son of Annu Ansari resident of
village - Mukundpur, P.S. Charpokhari, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Tabbasum Ara Wife of Md. Khurshid Ansari, D/o Md. Sohrab Ali
resident of village - Barura, P.S. Garhani (Agiaon), District - Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Ataul Haque

For the Opposite Party/s : Mr. M.K. Khare (App)

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

03/ 25-08-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Section 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.

The petitioner and the informant are present in
the Court. The marriage between the petitioner and the informant
having no issue is not in dispute.

It is submitted by learned counsel for the

petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

“That it is humbly submitted that the petitioner is ready to keep his wife with dignity and honour.”

It is submitted by learned counsel for the informant that the informant is ready to accept the offer of the petitioner but she is apprehensive due to the proximity of the petitioner with his sister-in-law (Bhabhi).

It is submitted by the learned counsel for the petitioner that the petitioner will try to keep himself and his wife away from the sister-in-law.

Both sides agree to appear before the learned court below on 7th of September, 2015 when the petitioner will take the informant to keep her as wife with full 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 Chief

Judicial Magistrate, Bhojpur at Ara in connection with Bhojpur Mahila P.S. Case No. 07 of 2015, 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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