

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28443 of 2015**

Arising Out of PS.Case No. -117 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-  
SAHARSA

=====

1. Md. Sarif S/o Md. Shaukat R/o Village - Dighiya, P.S. + District -  
Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Haseena Khatoon W/o Md. Sarif, D/o Late Md. Mushim R/o Bariyahi  
Bazar Ward No. 7 Panchayat Bangaon Purvi, P.S. - Bangaon, District -  
Saharsa.

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

=====

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

2      24-07-2015                      Heard learned counsels for the petitioner and  
  
the State.

The petitioner being the husband of the  
  
complainant is apprehending arrest in a complaint case  
  
in which processes were directed to be issued after  
  
cognizance being taken under Section 498A of the  
  
Indian Penal Code and section 4 of the Dowry  
  
Prohibition Act.

The basic accusation is of torture for non  
  
fulfillment of dowry demands.

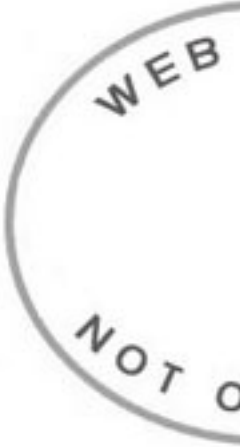
The petitioner admits marriage with the

complainant. On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition, the relevant portion of which reads as follows:

“That the petitioner .....is quite willing to keep the complainant decently and honorably within his financial constraint.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Saharsa in connection with Complaint Case No. 117 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

Anil/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|