

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32512 of 2015

Arising Out of PS.Case No. -2409 Year- 2009 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Md. Nazim son of Md. Idris Resident of village- Harishnakarpur,
Baghanuni, P.S.- Tajpur, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

2. Halima Khatoon wife of Md. Nazim daughter of Md. Dargahi, resident of
village- Nurullahpur, P.S.- Khodawandpur, District- Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

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

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

ORAL ORDER

2 10-08-2015 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 Dowry Prohibition Act.

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

The petitioner admits his marriage with the
complainant. On instructions, it is submitted that the

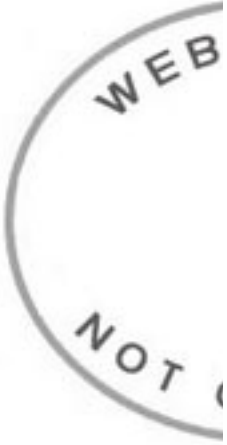
petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows:

“That the petitioner is throughout ready to keep the complainant with full honour and dignity. ”

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 Begusarai in connection with Complaint Case No. 2409C of 2009 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)

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