

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8999 of 2015

Arising Out of PS.Case No. -338 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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Md. Shakil Son of Md. Mustafa resident of village - Ramnagar, P.S.
Gaighat, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Najima Khatoon wife of Md. Shakil resident of village - Ramnagar,
P.S. Gaighat, District - Muzaffarpur, at present at village - Abdul Nagar
@ Madhopur, P.S. Ahiyapur, District - Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Harendra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

04/ 17-07-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

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

The petitioner and the complainant are present.
The marriage between the petitioner and the complainant having

no issue is admitted fact.

The petitioner is ready to keep the complainant as wife with dignity and honour. Though, the statement to that effect has not been made in the petition.

The complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 10th of August, 2015 when the petitioner will take the complainant 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 Sub-divisional Judicial Magistrate (East), Muzaffarpur in connection with Complaint Case No. 338 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 complainant gets reluctant to reconcile the

issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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