

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41174 of 2014

Arising Out of PS.Case No. -743 Year- 2012 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Abdul Sakur son of Abdul Majid resident of village - Mahendrapur
Pramanpur, Police Station Ranipatara, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Noorjahan Begum Wife of Abdul Sakur, daughter of Md. Jamal resident
of village - Jorpura, Police Station - Tajpur (Halai), District - Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Narayan Mishra

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

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

4 29-07-2015 Heard learned counsels for the petitioner and the State.

However, none appears on behalf of the O.P. No.2 despite notice
issued vide order dated 4.3.2015.

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 sections 3 and 4 of 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 which reads as follows:

“That the petitioner is ready to keep the complainant with full honour and dignity who is not only the wife of the petitioner but also the mother of his two sons as well”

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 CJM Samastipur in connection with Complaint Case No. 743 of 2012 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.



Anil/-

(Dinesh Kumar Singh, J)

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