

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36294 of 2015

Arising Out of PS.Case No. -1393 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Kalim Sah, son of Karim Sah, R/o Village- Kutubpur, P.S.- Kasmabad,
District- Gazipur (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sazida Khatoon, D/o Mohiuddin Sah,
3. Mohiuddin Sah, S/o Late Lukman Sah 2 and 3 Both R/o Village- Naya
Bhojpur, P.S.- Dumraon, District- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Rina Sinha(App)

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

ORAL ORDER

2 18-08-2015 Heard learned counsel for the petitioner and the
State.

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

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

On instruction it is submitted by learned
counsel for the petitioner that the petitioner is ready to
keep the complainant as wife with full dignity and
honour. Statement to that effect has been made in para-

8 of the petition which reads as follows:-

“That the petitioner is ready to keep his wife with full respect 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 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, Buxar in connection with Complaint Case No. 1393C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 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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