

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43975 of 2014

Arising Out of PS.Case No. -1242 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Nurej Son of S.K. Qaiyum Resident of Village - Gerabari, Gurgama,
P.S. - Korha, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Anwari Khatoon Wife of Md. Surej @ Noor Islam, D/o- S.K. Rasheed
At present residing at Village - Jagdishpur, P.S. - Barari, District -
Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Pandey

For the Opposite Party/s : Mr. Bharat Lal (App)

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

03/ 23-03-2015

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, 323,
504/34 of the Indian Penal Code and 3/4 of Dowry Prohibition
Act.

The basic accusation is of torture for non-

fulfillment of the dowry demand.

On submission of 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 10 of the petition, which reads as follows:- **“That it is emphatically stated that petitioner is ready to keep his wife (complainant) with full dignity and respect.”** Notices were issued to the complainant-opposite party no. 2 vide order dated 15.12.2014.

Learned counsel for the complainant submits, on instruction, that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 15th of April, 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 Chief Judicial Magistrate, Katihar in connection with Complaint Case No. 1242 of 2013, 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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