

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46333 of 2014

Arising Out of PS.Case No. -59 Year- 2014 Thana -MAHILA P.S. District- MUZAFFARPUR

1. Istihaque Son of Md. Gulam Rasool Ansari Resident of Village -
Faridpur Sakra, Police Station - Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar

For the Opposite Party/s : Mr. Uday Chand Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-03-2015 Heard learned counsels for the petitioner, informant and
the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offence under Sections 498A/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

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

On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour though no statement to the aforesaid effect has been made in the petition.

Learned counsel for the informant submits that the

informant is ready to accept the offer of the petitioner. Both petitioner and the informant agree to appear before the learned court below on 20.4.2015 when the petitioner will take the informant 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 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 East, Muzaffarpur in connection with Mahila P.S. case No. 59 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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