

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37700 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -MAHILA P.S. District- SAHARSA

=====

1. Naushad Alam S/o Khush Mohammad Resident of village - Jhanjhari,
P.S. Gawalpara, District - Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Ashmina Khatoon W/o Naushad Alam, D/o Md. Isha Resident of
Village - Kashnagar, (Kashnagar O.P.), P.S. Sonbarsa Raj, District -
Saharsa

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Madan Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 27-08-2015

Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered
for the offences punishable under Sections 498A, 323,
379/34 of the Indian Penal Code.

The basic accusation is of torture after 12 years
of marriage.

It is submitted by learned counsel for the
petitioner that the petitioner admits the marriage with the
informant and he is ready to keep the informant as wife
with full dignity and honour. Statement to that effect has
been made in para- 7 of the petition which reads as
follows:-

“That the petitioner is husband of
the informant and he is always ready to

keep the informant (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, Saharsa in connection with Saharsa P.S. Case No. 30 of 2015, 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 informant on her appearance the petitioner will take the informant 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 informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--