

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47079 of 2014

Arising Out of PS.Case No. -1020 Year- 2013 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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1. Md. Mumtaz Ansari S/o Md. Sirajuddin R/o village - Mubarak Chak,
P.S. Munger Muffassil, District - Munger

.... Petitioner/s

Versus

1. The State of Bihar
2. Farjana Parween W/o Md. Mumtaz Ali @ Shahin R/o village - Mubarak
Chak, P.S. Munger Muffassil, District - Munger, At present D/o Md.
Haider, R/o Village - Banaudha, P.S. Munger Muffasil, District - Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.M. Shabbir Alam

For the Opposite Party/s : Mr. Gajendra Pd. Yadav (App)

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

2 12-03-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband 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 section 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 complainant as wife with full dignity

and honour. Statement to the aforesaid effect has been made in paragraph no. 11 of the petition which reads as follows:

“That the petitioner is still ready to keep his wife with all love and dignity. This stand was also taken by the petitioner in the court below but the efforts failed due to non co-operation of the complainant.”

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 SDJM Munger in connection with Complaint Case No. 1020C of 2013 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.

(Dinesh Kumar Singh, J)

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