

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51440 of 2014

Arising Out of PS.Case No. -515 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

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1. Sah Firoj Alam @ Sah Firiyaz Alam S/o Md. Insul Resident of Village Jolhania Pathra North, Tola, Desia, Bahi, P.S. Pipra, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Khusbun Khatoon W/o Sah Firiyaz Alam Resident of Village Jolhani, Pathra North, Tola, Desia, Bahi, P.S. Pipra, District Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant 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.

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. 12 of the petition which reads as follows:

“That the petitioner is always ready to keep the complainant with all dignity and honour but she herself is not ready to live for the reason best known to her.”

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 Supaul in connection with Complaint Case No. 515C 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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