

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45144 of 2015

Arising Out of PS.Case No. -2065 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

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1. Md. Sallauddin Ansari, Son of Late Tahir Ansari, Resident of Village- Ghughaldih, P.S. Barhat, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sahana Khatoon, W/o Sallauddin Ansari, D/o Md. Salamat Ansari, Resident of Village- Hasdih, P.S. & District Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar
For the Opposite Party/s : Mr. Pradeep Nr.Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 09-11-2015 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 and sections 3 and 4 of Dowry Prohibition Act.

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

The petitioner and the complainant are present in court.

On instruction it is submitted that the petitioner

admits his marriage with the complainant and birth of four children and is ready to keep the complainant as wife and children with full dignity and honour though statement to the aforesaid effect has not been made in the petition.

Learned counsel for the complainant submits that the complainant is ready to accept the offer. Both petitioner and the complainant agree to appear before the learned court below on 30.11.2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

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, Jamui in connection with Complaint Case No. 2065C 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 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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