

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25421 of 2015

Arising Out of PS.Case No. -96 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

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1. Anzar Ahamad @ Anzar Ahmad Son of Kitab Uddin resident of Barhi,
P.S.- Jay Nagar, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shambha Pravez wife of Jamil Akhatar, resident of village- Dokahar,
P.S. Kaluahi, District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 09-11-2015 Heard learned counsels for the petitioner, informant
and the State.

The petitioner being the husband of the informant is
apprehending arrest in a t case registered under Sections
341,323,380,384,385,498A and 504/34 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 informant are present in court.

The petitioner admits his marriage with the
informant. It is submitted that the petitioner is ready to keep the
informant as wife with full dignity and honour. Statement to the

aforesaid effect has been made in paragraph 13 of the petition which reads as follows;

“That petitioner is ready to keep the informant with all respect.”

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner provided the petitioner keeps her at his place of employment i.e. Jainagar. Learned counsel for the petitioner submits that the petitioner accepts the condition of the informant. Both petitioner and the informant agree to appear before the learned court below on 23.11.2015 when the petitioner will take the informant 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, Madhubani in connection with Madhubani Mahila P.S. Case No. 96 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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