

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46050 of 2014

Arising Out of PS.Case No. -219 Year- 2013 Thana -RAFIGANJ District- AURANGABAD

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1. Md. Mumtaz Son of Md. Islam resident of village- Nahar Khap, P.S.-
Rafiganj, Distt.- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Safina Khatoon Wife of Md. Mumtaz, D/o Md. Mustak r/o village-
Maharkhap, P.S.- Rafiganj, Distt.- Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh

For the Opposite Party/s : Mr. Md. Ansharul Haque(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 23-03-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences under Sections 498A,323,379,504 and 506 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 informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in

paragraph no. 10 of the petition which reads as follows:

“That it is stated that the petitioner is ready to keep the informant as his legal married wife and maintain his son as well as wife.”

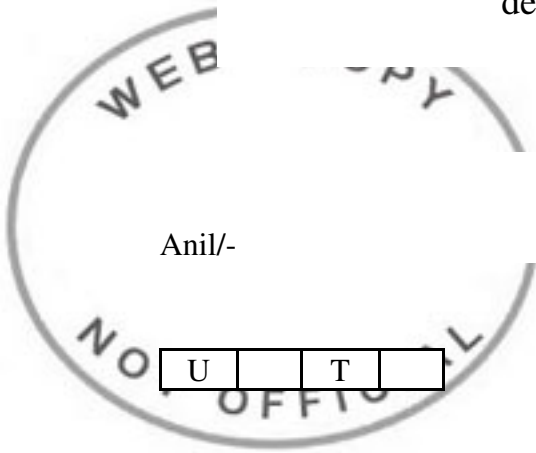
Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Aurangabad in connection with Rafiganj P.S. Case No. 219 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 informant and 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 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.



Anil/-

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(Dinesh Kumar Singh, J)