

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7230 of 2015

Arising Out of PS.Case No. -964 Year- 2012 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Md. Wasim son of Md. Faruq Ajam, resident of House No. 220,
Managolpuri, P.S. and P.S. Mangolpuri, Old Delhi

.... Petitioner/s

Versus

1.State of Bihar
2. Nikhat Praveen wife of Md.Wasim, resident of village- Hazipur
Gola,Ward No. 2, P.O. & P.S. Raffiganj, Districdt- Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 23-02-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant apprehending his arrest in Compliant Case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498(A) of the Indian Penal Code.

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

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep opposite party no.2 as his wife with full dignity and honour. The statement to that effect ahs been made in paras 7 and 9 of the petition.

Considering the present stand of the petitioner, let 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 S.D.J.M., Aurangabad in connection with Complaint Case No. 964 of 2012, subject to the conditions as laid down u/s 438(2) Cr.P.C.

Both the complainant and the petitioner will appear before the learned court below on 11th May, 2015.

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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