

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17637 of 2015**

Arising Out of PS.Case No. -33 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

=====

1. Md. Mahtab Khan@ Md. Mahtab Son of Md. Maniruddin Resident of  
village - Bhagapur, P.S. Piro, District - Bhojpur at Ara ( Bihar )

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

**ORAL ORDER**

2      18-05-2015

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 and 506/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands. Marriage of the petitioner and the informant is admitted fact.

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. 7 of the petition.

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 Bhojpur at Ara in connection with Mahila P.S. Case No. 33 of 2015 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.

**(Dinesh Kumar Singh, J)**

Anil/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|