

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37717 of 2015

Arising Out of PS.Case No. -249 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Syed Zubair Akhtar @ Zubair S/o Late Syed Qamrul Haque R/o Purani
Bazar Sabuni Chauk P.S. Ramnagar, District - West Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

05/ 15-12-2015

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A, 323, 341 and 506 of the Indian Penal Code.

The basic accusation is of torture.

Counsel for the petitioner submits that the petitioner admits his marriage with the informant and birth of a male child. The petitioner is ready to keep the informant as wife with full dignity and honour along with the child at his place of employment. Though, statement to that effect has been made in

paragraph 11 of the main petition and in paragraph 8 of the supplementary affidavit, but it is not stated that the informant will be keep at Delhi.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner and agreed to visit the native place also where the mother of the petitioner resides.

Both sides agree to appear before the learned court below on 15th January, 2016 when the petitioner will take the informant and minor child to keep them with dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 249 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be

confirmed by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

It is expected from the family members of the informant not to interfere in the matrimonial affairs of the petitioner and the informant.

(Dinesh Kumar Singh, J)

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