

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4293 of 2015

Arising Out of PS.Case No. -2847 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Md. Zulfequar .

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. S. Eheteshmuddin (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 17-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition.

It is submitted by learned counsel for the complainant that the complainant is ready to live with the petitioner but the

petitioner has not made the payment of maintenance amount as directed by the learned court below.

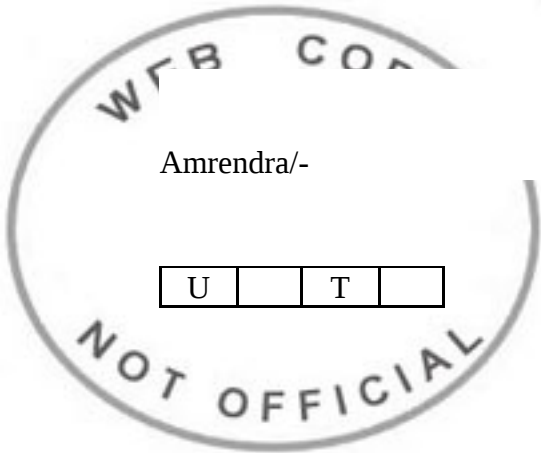
Both sides agree to appear before the learned court below on 30th of March, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Katihar in connection with Complaint Case No. 2847 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

The bail bonds of the petitioner will be accepted by the learned court below on making payment of maintenance amount to the complainant calculated from the maintenance order being

passed till execution of the bail bonds.



(Dinesh Kumar Singh, J)