

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13270 of 2015

Arising Out of PS.Case No. -2930 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Md. Ilyas Son of Abdul Kyum Resident of village - Mohammadpur
Postama Bishunpur, P.S. Kajra, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Aamna Khatoon Husband of Md. Ilyas Resident of village -
Mohammadpur, P.S. Kajra, District - Muzaffarpur, Daughter of Md. Kalim
Ansari, Village - Bhagwanpur Bahorkha, P.S. Vaishali, District - Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 31-03-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest
in a complaint case filed with accusation under Sections
323,379,406 and 498A 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.

On instructions, it is submitted that the petitioner is
ready to keep the complainant as wife with full dignity and
honour. Statement to the aforesaid effect has been made in
paragraph no. 9 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 Vaishali at Hajipur in connection with Complaint Case No. 2930 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 complainant and on her appearance the petitioner will take the complainant 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 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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