

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42855 of 2014

Arising Out of PS.Case No. -162 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Belal Miyan @ Belal Ahmad Son of Hadis Miyan Resident of Village -
Banni, P.S.- Dhansoi, District - Buxar

.... Petitioner/s

Versus

1. The State of Bihar
2. Husnaira Khatoon Wife of Begal Miyan @ Belal Ahmad Daugher of Lae
Moharram Miyan Resident of Village - Kastar, P.S- Bikramganj, District -
Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Opposite Party/s : Mr. Navin Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 12-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest
in a complaint case in which processes were directed to be issued
after cognizance being taken under Section 498A of the Indian
Penal Code.

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. 8 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 SDJM Bikramganj in connection with Complaint Case No. 162 of 2014 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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