

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9739 of 2015

Arising Out of PS.Case No. -1894 Year- 2013 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Tanveer Ahmad @ Tanveer Ahmad Son of Late Masook Karim r/o
Kagaji Muhalla, P.S. Town, Biharsharif, District Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Gufrana Nishant Wife of Tanveer Ahmad r/o Kagaji Muhalla, P.S.
Town, Biharsharif, District Nalanda, D/o Md Mahtab Alam, R/o Village
Malik Manjil Pokharia, Ward No. 35, P.S. Town, District Begusarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suryakant Kumar

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 21-04-2015 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case filed with accusation
under sections 498A, 323 and 379/34 of the Indian Penal Code
and section 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 14 of the petition which reads as follows:

“That it is state and humbly submitted that the petitioner is still ready to live with the complainant.”

It is further submitted that the petitioner has filed Matrimonial Case No. 167 of 2011 for restitution of conjugal rights prior to the lodging of the complaint. The factum of marriage of the petitioner with the complainant and birth of a male child are admitted facts.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 4.5.2015 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Begusarai in connection with Complaint Case No. 1894C 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 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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