

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44920 of 2014

Arising Out of PS.Case No. -165 Year- 2013 Thana -NANHPUR District- SITAMARHI

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1. Mubark Hussain S/o Afjal Hussain R/o Village Milikpur, P.S. Jale,
District Darbhanga.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Jha

For the Opposite Party : Mr. Shyam Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 12-05-2015

Petitioner being husband of the informant is

apprehending his arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

The notices were issued to the informant/O.P. No. 2 on submission of learned counsel for the petitioner, on instruction that petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is still ready to
keep the informant with full respect and dignity.....”

The office note dated 01.04.2015 reflects that notices were served on the counsel of O.P. No. 2 appearing before learned Court below. None is appearing on behalf of the

informant/O.P. No. 2.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 165 of 2013.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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