

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25561 of 2015

Arising Out of PS.Case No. -5 Year- 2015 Thana -MAHILA PS District- JEHANABAD

Sarfaraz @ Md Sarfaraz Alam Son of Raja Emam Resident of village -
Telpa, Police Station - Karpi, District- Arwal.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Prakash Singh

For the Opposite Party/s : Mr. Lalan Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

04/ 10-09-2015

Heard learned counsels for the petitioner and the
State.

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

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

The petitioner and the sister of the informant are
present.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the sister of
the informant and birth of a male child and is ready to keep them

with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That the petitioner is husband of informant sister, he wants to keep with him with full dignity and assurance given to him, never torturing to.”

It is submitted by learned counsel for the informant that the sister of the informant accepts the offer of the petitioner.

Both sides agree to appear before the learned court below on 30th of September, 2015 when the petitioner will take his wife and child to keep them with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Jehanabad in connection with Arwal Mahila P.S. Case No. 05 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities:- (i) on

substantial restoration of the matrimonial harmony; (ii) or if the sister of the informant gets reluctant to reconcile the issue; and (iii) or if the sister of the informnat fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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