

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26507 of 2015

Arising Out of PS.Case No. -643 Year- 2013 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Md. Firoj S/o Bilat Miyan Resident of Village - Kolhua, P.S. Shankarpur,
District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Sahida W/o Md. Firoz, D/o Md. Jasruddin at present residing at
Village - Bishanpur Bazar, Ward no. - 5, P.S. - Kumar Khand, District -
Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. A.L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-07-2015 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 wherein processes have been directed to be issued after cognizance being taken under Sections 498A/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. The marriage between the petitioner and the complainant and birth of two children

are admitted facts.

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 10 of the petition.

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 27.7.2015 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 Madhepura in connection with Complaint Case No. 643 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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