

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54294 of 2015

Arising Out of PS.Case No. -2010 Year- 2014 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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Abdul Waheed @ Abdul Wahid

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Iftekhar Mahmood(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 341, 323 and 379 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of a child and is ready to keep them with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner reiterates that he is ready to keep complainant as his wife with full dignity and honour.”

Learned counsel for the complainant, on instruction, submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 15th of January, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Darbhanga in connection with Complaint Case No. 2010 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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