

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56987 of 2015

Arising Out of PS.Case No. -7803 Year- 2013 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Md. Tahir Hussain @ Tahir Hussain Son of Md. Akhtar Resident of
Village- Khatopur, Ps. Muffasil, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Fauzia Khatoon wife of Tahir Hussain, daughter of Md. Haidar Resident
of village- Ninga, P.s Baraunia, District Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Fahimuddin

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 17-12-2015 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 processes were directed to be issued after cognizance being taken under Section 498A,323 and 379/34 of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to

keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

“That the petitioner is ready to keep her wife (complainant) with full honour and dignity. ”

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 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. 7803C of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

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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