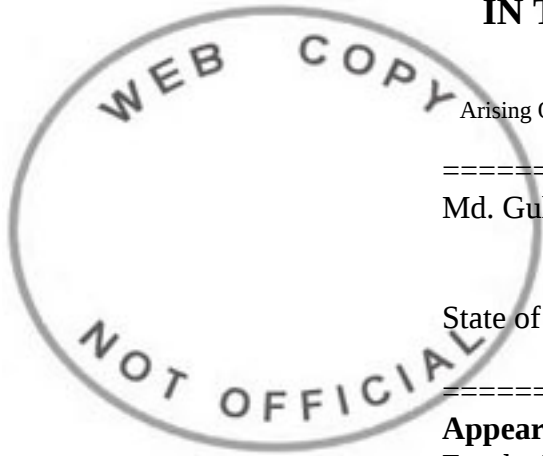




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15549 of 2015

Arising Out of PS.Case No. -1131 Year- 2013 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Md. Gulfam

..... Petitioner/s

Versus

State of Bihar & Anr

..... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anita Kumari
For the Opposite Party/s : Mr. Md. Aslam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-05-2015 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 Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand. The factum of marriage is admitted fact.

On instruction, learned counsel for the petitioner submits that the petitioner has not performed second marriage and is ready to keep the complainant as 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 5th of June, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 1131C 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 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. The provisional bail of the petitioner will not be confirmed if substantive proof is brought on record that the petitioner has performed second marriage and in

that case, the petitioner will surrender before the learned court below and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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