

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12799 of 2015

Arising Out of PS.Case No. -1700 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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Md. Jasim, son of Md. Islam, resident of Village-Pachaili, P.S.-Palasi,
District-Araria

.... Petitioner

Versus

1. The State of Bihar
2. Bibi Najrin Khatoon, daughter of Sk Rafool, wife of Md. Jasim,
resident of Village-Paicheli, P.S.-Palasi, District-Araria, at present
resident of Village-Farsadangi, P.S.-Palasi, District-Araria

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Ziaul Quamar

For the Opposite Party : Mr. Md . Ansarul Haque (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2015 Petitioner being husband of the complainant
is apprehending his arrest in a complaint case in which
processes have been directed to be issued after cognizance
being taken for the offences punishable under Section 498A of
the I.P.C.

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

On instructions, it is submitted by learned
counsel for the petitioner that petitioner is ready to keep the
complainant as wife with full dignity and honour. A statement
to that effect has been made in para 7 of the petition which
reads as follows:-

“That the petitioner is
husband of the complainant and he is ready
to keep the complainant with full respect and

dignity.”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 1700C of 2013.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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