

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11786 of 2015

Arising Out of PS.Case No. -153 Year- 2013 Thana -MADHUBANI TOWN District-
MADHUBANI

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1. Md. Gufran son of Md. Soab, Resident of village- Khajuri, P.S.-
Madhubani (Nagar), District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Farida Khatoon Wife of Md. Gufran Resident of village- Khajuri, P.S.-
Madhubani (Nagar), District- Madhubani presently residing with her father
Md. Shaukat Ali Resident of Village- Kharra, P.s.- Madhubani, District-
Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 23-03-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the informant
is apprehending his arrest in a case registered for the offences
punishable under Sections 341, 323, 379, 498A of the Indian
Penal Code and 3/4 of the Dowry Prohibition Act.

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

On instruction it is submitted by learned counsel
for the petitioner that the petitioner is ready to keep the

complainant as wife with full dignity and honour. Petitioner has also filed a Matrimonial Suit No. 82 of 2012 for restitution of conjugal life. Statement to that effect has been made in para-9 of the petition which reads as follows:-

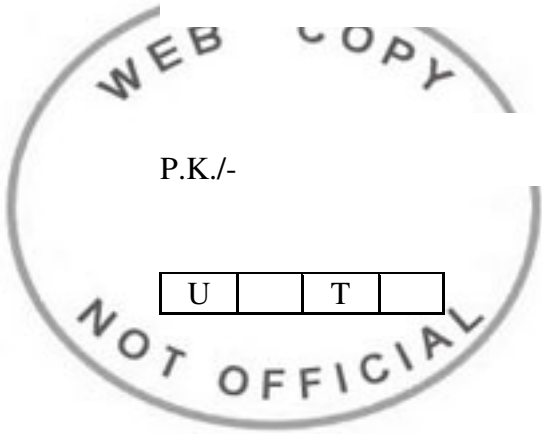
“That the petitioner is ready to keep the complainant with full dignity and honour. It is further humbly submitted that for restitution of conjugal life petitioner had filed Matrimonial Case No. 82/2012 before learned Principal Judge, Family Court, Madhubani.”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhubani in connection with Madhubani Town P.S. Case No. 153 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the

issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)