

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28382 of 2015

Arising Out of PS.Case No. -3415 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Pyar Mohammad S/o Shakil Ahmad Resident of Village - Navadih Road,
P.S. - Sadar, District - Aurangabad, at present Canal Eastern Street Naka,
Near Durga Mandir, Div. - 9, Ward - 27, Elur, P.S. - Elur, District - West
Godawari, A.P.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Farzana Khatoon W/o - Pyar Mohammad, D/o Mohammad Shamshuddin
Resident of Dariyapur, Phakeerbara Kutubuddin Lane, P.S. - Pirbahore,
District - Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sushil Kumar Jha

For the Opposite Party/s : Mr. T.P.Mandal (App)

=====

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

2 23-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest
in a complaint case in which processes were directed to be issued
after cognizance being taken under Section 498(A) of the Indian
Penal Code and Section 3/4 of Dowry Prohibition Act.

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

The petitioner admits marriage with the complainant.
On instructions, it is submitted that the petitioner is ready to keep
the complainant as wife with full dignity and honour. Statement to

the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows:

“That the petitioner and his family members (father and mother) are ready to keep the complainant with full honour and dignity. Even after the complaint case the couple were living together at the petitioner’s place.”

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, Patna in connection with Complaint Case No. 3415 (C)/2012 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)

BKS/-

U		T	
---	--	---	--