

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27120 of 2015

Arising Out of PS.Case No. -87 Year- 2014 Thana -GHANSHYAMPUR District- DARBHANGA

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1. Ehsan Sah son of Khalil Sah Resident of Village - Pali, Police Station - Ghanshyampur, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. Zarina Khatoon wife of Ehasan Sah son of Khalil Sah Resident of Village - Pali, Police Station - Ghanshyampur, District - Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha
For the Opposite Party/s : Mr. H.A. Khan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 09-11-2015 Heard learned counsels for the petitioner, informant and the State.

The petitioner being husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A,341,323,324 and 307 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

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

On submission of learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour, notices were issued to the O.P. No. 2

vide order dated 14.7.2015. Statement the aforesaid effect has been made in paragraph 7 of the petition which reads as follows:

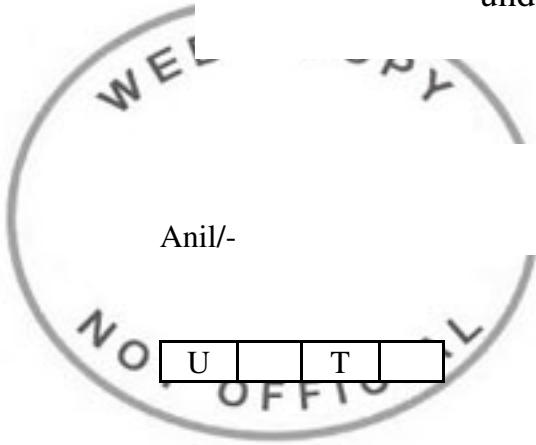
“That the petitioner has love with his wife and still the petitioner is ready to keep his wife with full dignity and honour.”

The office note dated 6.11.2015 reflects that the notice on O.P. No. 2 has validly been served. None appears on behalf of O.P. No. 2.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail 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 JM, Ist Class, Biraul at Benipur in connection with Ghanshyampur P.S. Case No. 87 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The present order will, in no way, preclude the O.P. No. 2 to resume the conjugal life. In case the informant files such application before the learned court below, the learned court below shall issue notice to the petitioner and on

appearance the petitioner will be obliged to comply the undertaking given before this court.



(Dinesh Kumar Singh, J)