

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33114 of 2015

Arising Out of PS.Case No. -73 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

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Imran Hussain Son of Intaf Hussain Resident of village - Don Bosco, Para
Rana Ghat, Police Station - Ganganapur, District - Nadiya (West Bengal)
.... Petitioner/s

Versus

1. The State of Bihar
2. Nargis Naj Wife of Imran Hussain Resident of Rampur Khareya, Police
Station - Kuchaikote, District - Gopalganj
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh
For the Opposite Party/s : Mr. Madan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 11-08-2015 Heard learned counsels 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 Section 341, 323, 498A, 504/34 of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the

petitioner that the petitioner admits the marriage with the informant is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para 10 of the petition, which reads as follows:- **“That the petitioner is still ready to keep the victim as a wife with full honour and dignity. But in the past she never co-operated whole heartedly. This only led to the bitterness between the parties.”**

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 Chief Judicial Magistrate, Gopalganj in connection with Kuchaikote P.S. Case No. 73 of 2015, 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)

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