

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48649 of 2015

Arising Out of PS.Case No. -2242 Year- 2013 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Mannan Shah Son of Noor Alam Sah Resident of Village Ekderwan
Police Station thawey District Gopolganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Hirman Khatoon wife of Mannan Sah Resident of Village Rampur
Pandey tola Post office Rampur Police Station Bhagwanpur Hatt ,District
Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-10-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant

is apprehending arrest in a complaint case wherein process has

been directed to be issued after cognizance being taken for the

offences punishable under Sections 498A and 406/34 of the

Indian Penal Code and Section 3/4 of the Dowry Prohibition

Act.

The accusation is of torture for non-fulfilment of the

dowry demand.

Learned counsel for the petitioner submits that the

petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

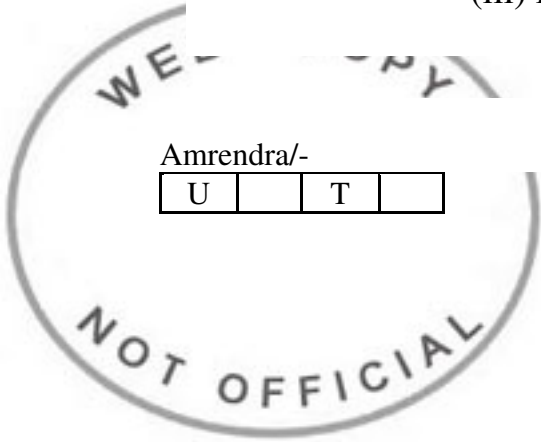
“That the petitioner was/is always ready to keep her with full respect.....”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Siwan in connection with Complaint Case No. 2242 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the

complainant fails to appear before the learned court below or
(iii) if the complainant gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)