

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49124 of 2015

Arising Out of PS.Case No. -126 Year- 2014 Thana -DIGHWARA District- SARAN

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1. MD. KAISHAR ALI @ KAISHAR ALI @ MD. KOSHAR ALI SON OF
SHAUKAT ALI. RESIDENT OF VILLAGE- BASTI JALAL, P.S.-
DIGHWARA, DISTRICT-SARAN AT CHAPRA (BIHAR).

.... Petitioner/s

Versus

1. THE STATE OF BIHAR.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. R.S.Choudhary(App)

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

3 02-11-2015 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, 504,
498A, 506/34 of the Indian Penal Code and 3/4 of the
Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that the petitioner admits the marriage with the
informant and he is ready to keep the informant as wife

with full dignity and honour. Statement to that effect has been made in para- 21 of the petition which reads as follows:-

“That the petitioner was not only kept his wife with dignity and honour rather he still ready to keep her but she herself does not ready to stay at the house of the petitioner. It is also relevant to state here that the petitioner is still ready to keep the informant with dignity and honour if she desires to live with him”.

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 Judicial Magistrate, Ist Class, Saran at Chapra , in connection with Dighwara P.S. Case No. 126 of 2014, 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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