

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51166 of 2013

Arising Out of PS.Case No. -492 Year- 2011 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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Zafar Shah, Son Of Alihasan Sah, Resident Of Village - Manpur (Beur),
P.S. Chainpur, District - Kaimur at Bhabhua

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Jitendra Kr.Roy 1, APP

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

ORAL ORDER

4 09-02-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

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

On instruction, it is submitted by the leaned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to the effect is mentioned in paragraph 13 of the petition, which reads as follows:

“13 That from the very beginning the petitioner is ready to keep and maintain his wife and even in the court below he has

taken stand that he is ready to keep and maintain his wife with her full dignity and respect.”

In spite of notice issued to the complainant, none is appearing on behalf of the complainant.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his 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 Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Complaint Case No.492 of 2011, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Grant of bail will not preclude the complainant to resume the conjugal life. If the complainant files any application with a prayer to resume the conjugal rites, the petitioner will be obliged to comply with the undertaking given to this Court.

(Dinesh Kumar Singh, J)

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