

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44341 of 2014

Arising Out of PS.Case No. -17 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

=====

1. Md. Sahid Son of Md. Sabir Resident of Village-Chiknauta, P.S.-
Baligaon, District-Vaishali.

.... Petitioner

Versus

1. The State of Bihar
2. Sahjadi Khatoon W/o-Md. Sahid, D/o-Md. Islam Resident of Village-
Chiknauta, P.S.-Baligaon, District-Vaishali, at present Resident of
Village-Bidupur, (Nimati Dilawarpur), P.S.-Bidupur, District-Vaishali.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Satya Prakash Sinha

For the Opposite Parties : Mr. Anita Kumari Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 27-03-2015

Petitioner being husband of the informant is

apprehending his arrest in a case registered for the offences
punishable under Section 498A of the I.P.C. and ³/₄ of the
Dowry Prohibition Act.

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

The notices were issued to the informant vide
order dated 16.12.2014 on submission of learned counsel for
the petitioner that petitioner is ready to keep the informant as
wife with full dignity and honour. A statement to that effect has
been made in para 9 of the petition which reads as follows:-

“That the petitioner being a
responsible husband has never demanded
dowry and for that he has not torture his
wife and he is ready to keep her with dignity,
honour.....”

The marriage between the petitioner and the informant and birth of two children are admitted facts. The informant is present in the Court and ready to accept the offer of the petitioner to reconcile the issue, but she is reluctant due to the past conduct of the petitioner.

Both sides agree to appear before learned Court below on 15th of April, 2015, when the petitioner will take the informant to her matrimonial house along with her children to keep them with full dignity and honour.

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year 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, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 17 of 2014.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--