

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31254 of 2015

Arising Out of PS.Case No. -171 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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1. Shamsheer Alam S/o Sarafat Ansari Resident of Village - Nekara, Post -
Muradabad, P.S. - Sasaram (M), Dist Rohtas (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 04-08-2015

Heard learned counsels for the petitioner and the State.

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341,323,325,498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

Accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that petitioner is ready to keep the informant and her children with full dignity and honour. A statement to that effect has been made in Para 8 of the petition which reads as follows:-

“8. That it very outset petitioner is ready to keep her, and he was appeared before the Trial court and clearly stated before trial court but she is not ready to live him reason best known to her.”

Considering the aforesaid stand, 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, Rohtas at Sasaram in connection with Sasaram (Agrer) P.S. Case No. 171 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant and her children to her matrimonial house to keep her as wife with full dignity and honour.

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)

Prakash/-

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