

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37682 of 2015

Complaint Case No. -110 Year- 2014 Thana -COMPLAINT CASE District- BANKA

Jubair Ansari Son of Late Ashgar Ansari

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sony Khatoon D/o Md. Idrish Ansari, Wife of Jubair

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Das No.- 2

For the Opposite Party/s : Mr. Sangita Sharma(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and section 4 of the Dowry Prohibition Act.

The basic accusation is of torture.

The marriage between the petitioner and the complainant is admitted.

On instruction, learned counsel for the petitioner submits that the petitioner claims to have divorced the complainant as per 'Muslim' rights, however, he is ready to keep

the complainant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

"12. That the petitioner states and submits that he is ready to keep the complainant with full dignity.."

Learned counsel for the complainant submits that the complainant accepts the offer of the petitioner.

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, Banka in connection with Complaint Case No.110/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 15th January, 2016 when 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.

Ashwini/-

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(Dinesh Kumar Singh, J)