

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47798 of 2014

Arising Out of PS.Case No. -89 Year- 2014 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Md. Saddam S/o Md. Irsad resident of village- Belha @ Balha, P.S.-
Bihpur, District-Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Khatoon W/o Md. Saddam, D/o Md. Subhan Ali Resident of
village- Balha @ Belha, P.S.- Bihpur, District- Bhagalpur. Presently
Resident of village Aoray, P.S.- Pureni, District- Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar
For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 13-02-2015 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being husband of the complainant is
apprehending arrest in a complaint case in which process has been
directed to be issued after cognizance being taken 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 for non fulfillment of
dowry demands.

It is submitted by learned counsel for the petitioner that
the complainant herself has stated before the learned court below

that she is not willing to reside with the petitioner though the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph 8 of the petition.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura in connection with Complaint Case No. 89 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of anticipatory bail to the petitioner in no way will preclude the complainant to reconcile the issue. In case the complainant files an application for resuming the conjugal life, the petitioner will be obliged to take her to keep her as wife with due dignity and honour.

(Dinesh Kumar Singh, J)

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