

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13853 of 2015

Arising Out of PS.Case No. -69 Year- 2014 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

=====

Md. Sohail Khan

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Pushpa Sinha No.2(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 494 and 406/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand and performing second marriage.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition, relevant portion of the same reads as follows:-

“That the petitioner is always ready to keep the informant with full dignity.”

On instruction, learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 1st of June, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Chief Judicial Magistrate, Bihar Sharif, Nalanda in connection with Mahila P.S. Case No. 69 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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