

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44766 of 2015

Arising Out of PS.Case No. -1048 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. AFTAB KHAN Son of Kamruddin Khan resident of Patehari Mohalla,
Dhunia Toli & P.S. - Dumraon, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shahjadi Khatoon, Wife of Aftab Alam, resident of Patehari Mohalla,
Dhunia Toli, P.S. - Dumraon, District Buxar at present residing with her
father Md. Ahmad Khan, resident of Mohalla Musafirganj, P.s. Buxar
Town, District - Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Atul Chandra
For the Opposite Party/s : Mr. B.M.P.Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2015 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition. The relevant portion of

which reads as follows:-

“That the petitioner is ready to keep her, opposite party no. 2 with due dignity and care according to his capability and ability.....”

Considering the aforesaid stand of the petitioner, 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 Sub-Divisional Judicial Magistrate, Buxar in connection with Complaint Case No. 1048(C) of 2013.

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 complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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