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Satgama

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Appear
For the

1. Md. Naz Alam @ Md. Naz Son of Md. Kamruddin Resident of Village - Satgama, Police Station -Jamui, District - Jamui.

Versus

.... Opposite Party/s

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Opposite Party/s : Mr. Arun Kr.Pandey(App)

2 06-02-2015 Heard learned counsels for the petitioner,
informant and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences under Sections 323,379 and 498A of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 13 of the petition which reads as follows:

“That the petitioner is ready to keep her second wife (informant) with full dignity and honour but

Sessions Judge had not given one adjournment and passed the order without petitioner appearance. Petitioner father is cardiac patient therefore the petitioner was with his father therefore learned counsel of the petitioner seeks one adjournment which was refused.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Jehanabad in connection with Jehanabad Mahila P.S. Case No. 96 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially

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

(Dinesh Kumar Singh, J)

Anil/-

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