

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56358 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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1. Shamsheer Khan, Son of Tausil Khan, Resident of Village- Kerpa, Police Station Rohtas, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Hasina Khatoon, Daughter of Gulam Rabbani, presently resides at Muhalla- Barah Oatthar (Babuganj), Ward No. 35, Police Station Dehari, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Jha
For the Opposite Party/s : Mr. Nityanand Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2015 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 offence punishable under Section 498A,341,323,504 and 506/34 of the Indian Penal Code sections 3 and 4 of Dowry Prohibition Act.

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

On instructions, it is submitted that the petitione admits his marriage with the informant and is ready to keep

the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 11 of the petition the relevant portion of which reads as follows:

“ That the petitioner always ready to keep his wife”

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 SDJM, Rohtas at Sasaram in connection with Dehari (Mahila) P.S. Case No. 12 of 2015 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)

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