

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33354 of 2015

Arising Out of PS.Case No. -195 Year- 2014 Thana -SIWAN MUFFASIL District- SIWAN

=====

1. Md. Alam Khan Son of Ainul Haque Resdent of Village - Danapur, P.S. Manjhagarh, Dist.-Gopalganj

.... Petitioner/s

Versus

1. State of Bihar
2. Yashin Khatoon Wife of Md. Alam Khan, Daughter Md. Salim Khan, Resdent of Village - Badheya, P.S.-Dhanauti (O.P.) Dist.-Siwan

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Harendra Prasad
For the Opposite Party/s : Mr. S.D.Singh Yadav(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-08-2015 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,115,323,406 and 120B/34 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Similar was the stand of the petitioner before the learned court below. Statement to the aforesaid effect has been made in

paragraph no. 5 of the petition which reads as follows:

“That the petitioner is husband of the complainant/informant, that he is ready to keep the victim complainant with full dignity and honour”

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 Siwan in connection with Siwan Mufassil (Dhanauti OP) P.S. Case No. 195 of 2014 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/-

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