

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49704 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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1. Imran Shabir Beg @ Imran Sabir Baig Son of Late Sabir Baig Resident
of Mohalla - Koiriya Tola, Adarsh Colony, P.S.- Bettiah Town, District -
West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Shajiya Khanam Wife of Imran Shabir Beg @ Imran Sabir Baig,
Daughter of Tanvir Khan Resident of Mohalla - Agarwa Gali No. 1, P.S.-
Motihari Town, District - East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
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 29-10-2015 Heard learned counsel for the petitioner and the

State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered
for the offences punishable under Sections 341, 498A,
323, 504, 506, 379/34 of the Indian Penal Code and 3/4
of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that the petitioner admits the marriage with the
informant and he is ready to keep the informant as wife

with full dignity and honour. Statement to that effect has been made in para- 6 of the petition which reads as follows:-

“That the petitioner is husband of the informant and he is ready to keep the informant with full dignity and honour”.

Moreover, the petitioner has filed Matrimonial Suit No. 155 of 2015 for restitution of conjugal rights. Statement to that effect has been made in para-11 of the petition.

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Mahila P.S. Case No. 53 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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