

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53717 of 2015

Arising Out of PS.Case No. -2721 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

Soyeb Alam @ Sk. Soyeb Alam Son of SK. Hasimuddin Resident of village
- Raipur, P.S. Dankhora, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar

2. Samima Khatoon Wife of SK. Soyeb Alam, D/o Md. Hasib Resident of
Mohalla - Rampura, P.S. and Distt. - Katihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Musowir

For the Opposite Party/s : Mr. Binod Kr. 3(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 26-11-2015

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant/informant and is ready to keep the complainant/informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That it is stated that the petitioner is ready to keep the 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 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 Sub-divisional Judicial Magistrate, Katihar in connection with C.A. No. 2721 of 2013, 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 complainant on her appearance the petitioner will take the complainant 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 complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.



(Dinesh Kumar Singh, J)

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