

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36193 of 2015

Arising Out of PS.Case No. -226 Year- 2010 Thana -DIGHA District- PATNA

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Md. Nasiruddin @ Nasir

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishor Prasad

For the Opposite Party/s : Mr. Anant Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner has not performed second marriage and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para 16 of the petition which reads as follows:-

“That apart from the petitioner is still ready and willing to keep the informant with him as wife with dignity and lead a peaceful marital life.”

Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 21st of September, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for three months 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Patna in connection with Digha P.S. Case No. 226 of 2010, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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