

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37742 of 2015

Arising Out of PS.Case No. -456 Year- 2014 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

Ekramul Haque S/o Mofjul Haque of vill. Shekhauna, P.S. Ghorasahan,
Distt. - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Khurshida Khatoon D/o SK. Rasool, W/o Ekramul Haque residing at
vill. - Mahammadpur, P.S. Banjariya, Distt. - East Champaran

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar

For the Opposite Party/s : Mr. R.S.Choudhary(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 15-12-2015

Heard learned counsels 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 Section 498A, 307, 326, 406 of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

The accusation is of making assault and torture
for non-fulfillment of the dowry demand.

The petitioner and the informant are present in
the Court.

Counsel for the petitioner submits that the

petitioner admits his marriage with the informant and his ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 14 of the petition, which reads as follows:-

“That the petitioner is still ready to keep her with all dignity and pride of a legally wedded wife if she comes and resides with him and his parents.”

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 7th January, 2016 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 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, Sikrahana at Motihari, East Champaran in connection with Ghorasahan P.S. Case No. 456 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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