

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50180 of 2015

Arising Out of PS.Case No. -1478 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Md. Siraj Son of Late Lukman Resident of village - Mirjapur, P.O.
Pawai, P.S. Korha, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sajda Khatoon Wife of Md. Siraj, Daughter of Late Md.
Nijamuddin resident of village - Nunni Hajitola, P.O. Sukhasan, P.S.
Barari, O.P. Semapur, District - Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad
For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 09-11-2015 Petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

On instructions, it is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 3 of the supplementary affidavit which reads as follows:-

“That the petitioner is ready to keep his wife with full dignity, love, care and affection”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Complaint Case No. 1478 of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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