

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3596 of 2016

Arising Out of PS.Case No. -313 Year- 2014 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Md. Umar Farooque Siddique S/o Late Md. Fiyaz Siddique, Resident of Mohalla- B Sector, G. Line Room No-12, Chita Camp Mumbai-400088 State Maharashtra. at present Resident of Village- Roh (Khalifa Tola), P.S.-roh, District- Nawada.

..... Petitioner/s

Versus

1. The State of Bihar
2. Gajala Sahin, D/o Sayed Shamim Hamad Resident of Mohalla- Mirdad, Post- Biharsharif, P.S.- Biharsharif, District- Nalanda at Biharsharif.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Sections 498A and 504/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep

the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 7 of the petition which reads as follows:

“That it is submitted that the petitioner being husband wants to keep the complainant as a wife 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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda at Bihar Sharif in connection with Complaint Case No. 313 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the

complainant fails to appear before the learned court below or
(iii) if the complainant deliberately gets reluctant to reconcile
the issue.

(Dinesh Kumar Singh, J)

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