

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4727 of 2016

Arising Out of PS.Case No. -197 Year- 2015 Thana -BHARGAWAN District- ARRARIA

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Md. Subhan

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 323, 498A, 354B, 384, 379 and 504/34 of the Indian Penal Code.

The basic accusation is of torture for non-fulfilment of the dowry demand, making assault and taking LTI on plain paper.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition relevant portion of the same reads as follows:-

“That admittedly the informant/complainant is legally wedded wife of the petitioner and he has fully aware his legal and social duty, responsibility and obligation to maintain and take proper care of informant/complainant as well as still ready and

always tried his best to keep the informant/complainant and resume his happy conjugal life... ..”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Araria in connection with Bhargama P.S. Case No. 197 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and honour.

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

(Dinesh Kumar Singh, J)

Amrendra/-

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