

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12143 of 2016

Arising Out of PS.Case No. -160 Year- 2015 Thana -BASANTPUR District- SIWAN

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Parvej Ansari, son of Naimuddin Ansari, resident of Village-Sheikhpura,
P.S.-Basantpur, District-Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Habibullah Ansari, son of Phool Mohammad Ansari, resident of Village-Brahimpur Gopi, P.S.-Mashrak, District-Chapra.
3. Gulshan Khatoon, wife of Parvej Ansari, daughter of Habibullah Ansari, resident of Village-Brahimpur Gopi, P.S.-Mashrak, District-Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. A.L. Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 28-07-2016

The petitioner being husband of the daughter of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 323, 341, 504, 312 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand. It is alleged that due to assault the pregnancy of the daughter of the informant got terminated.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the daughter of the informant and is ready to keep her as wife with full dignity and honour. A statement to that effect has been made in para 13 of the petition which reads as follows:-

“That the petitioner is still

ready to keep informant's daughter/victim as his wife with full dignity and honour."

It is submitted by learned counsel for the informant that daughter of the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 12th of August, 2016, when the petitioner will take the daughter of the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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, Siwan in connection with Basantpur P.S. Case No. 160 of 2015.

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 daughter of the informant fails to appear before learned Court below (iii) If the daughter of the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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