

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10923 of 2016

Arising Out of PS.Case No. -1872 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Iftikhar Alam Son of Md. Sabbir Alam Resident of Simalbari P.S.
Amour District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shahanshah Begum wife of Md. Iftikhar Alam, D/o Md. Mofil, resident
of Village- Simalbari P.S. Amour District Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avnish Kumar
For the Opposite Party/s : Mr. Md.Nazir Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-03-2016 The 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.

The basic accusation is of torture and driving out the complainant from the matrimonial house.

It is submitted by learned counsel for the petitioner on instruction 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 10 of the petition which reads as follows:-

“That the petitioner is the
husband of the complainant and always ready to

keep his wife with full dignity and honour.....”

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 six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge, VIth-Cum-Additional Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 1872 of 2015.

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 six months (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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