

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11715 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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1. Sk. Abbu Laish S/o SK. Abbu Mohamad R/o village - Laxmipur
Laukhan, P.S. Ghorasahan, Distt. - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar null null
2. Amna Khatoon W/o SK. Abbu Laish, D/o SK. Habib R/o village -
Ashogi Bairginiya, P.S. Bairginiya, Distt. - Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2016 The petitioner being husband of the informant
is apprehending his arrest in a case registered for the offences
punishable under Sections 341, 323, 406, 498A, 34 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 submitted by learned counsel for the
petitioner on instruction that 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 8 of the petition which reads as follows:-

“That it is humbly submitted
that the victim herself leaving her matrimonial house

along with minor child and refused to live along with the petitioner in spite of that the petitioner is ready to keep her with full honour and dignity”

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-Divisional Judicial Magistrate, Dhaka, East Champaran in connection with Motihari Mahila P.S. Case No. 106 of 2015.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant 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 informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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