

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16996 of 2016

Arising Out of PS.Case No. -481 Year- 2015 Thana -BARACHATTI District- GAYA

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Md. Shakil Ansari, S/o Md. Shafique Ansari, resident of village- Dihuri,
P.S.- Fatehpur, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra, Advocate

For the Opposite Party/s : Mr. Gulnar Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-04-2016

Heard learned counsel for the petitioner and the State.

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

The basis accusation is of torture for non-fulfillment of dowry demand.

On instruction it is submitted by learned counsel for the petitioner that petitioner admits the marriage with the informant. It is the informant who deserted the petitioner on 29.09.2014 after she got appointed as Panchayat Teacher. The petitioner has filed Matrimonial Suit No. 267 of 2014 for restitution of conjugal rights on 12.11.2014 and thereafter the present First Information Report was registered. Though issue

was dissolved before the Imam also, but the informant refused to comply the direction. The petitioner is still ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para-16 of the petition which reads as follows:-

“That the petitioner has always been and is still ready to keep the informant with love, affection and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati (Gaya) in connection with Barachatti (Mohanpur) P.S. Case No. 481 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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