

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12239 of 2016

Arising Out of PS.Case No. -1312 Year- 2011 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Md. Naushad Alam

.... Petitioner/s

Versus

1. State of Bihar,
2. Kashfa Khatoon alias Guriya

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Ajay Kumar Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2016 Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Sections 323,379 and 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full

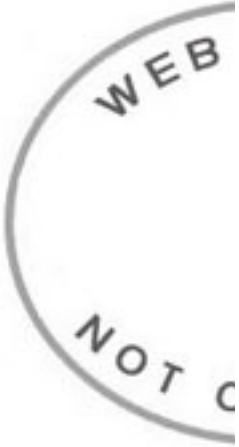
dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

“That the petitioner is ready to keep his wife with full dignity and honour. ”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Nalanda at Biharsharif in connection with Complaint Case No. 1312C of 2011 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is



substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)

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