

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19129 of 2016

Arising Out of PS.Case No. -490 Year- 2014 Thana -COMPLAINT CASE District- SUPAUL

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1. Yakub Ali Son of Shri Sanaullah, Resident of Mal Kushhar, P.S. - Balua Bazar, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Jasan Nara Khatoon, Wife of Yakub Ali, Resident of Mal Kushhar, P.S. - Balua Bazar, District - Supaul, at present D/o Abdul Rauf, Resident of Village - Kushhar, P.S. - Balua Bazar, District - Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Aditya Narayan Singh - 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is apprehending arrest in a Complaint Case filed under section 498A of the Indian Penal Code.

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

Learned counsel for the petitioner submits 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 that effect has been made in paragraph no.8 of the petition, which reads as follows:

“That petitioner is ready and willing to keep his wife with full honour and dignity and is also confident that by now she must have understood the evil design of jealous women of society.”

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.

Considering the present stand of the petitioner, let the petitioner be released on provisional anticipatory bail for one year in the event of 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 Sub Divisional Judicial Magistrate, Birpur, District-Supaul, in connection with Complaint Case No. 490C/2014, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed within one year by the learned court below in three eventualities(i) on substantial restoration of the matrimonial harmony ;or(ii) if the complainant gets reluctant to reconcile the issue; or(iii) if the complainant fails to appear before the learned court below.

(Dinesh Kumar Singh, J)

B.K.Roy/-

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