

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21118 of 2016

Arising Out of PS.Case No. -234 Year- 2015 Thana -POTHIYA District- KISANGANJ

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1. Md. Rashid, Son of Imamuddin, resident of Saraswati, Police Station-
Pothia, in the district of Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rubiya Pravin, W/o- Md. Rashid, D/o- Md. Sultan, Resident of village-
Malingachchh, Police Station- Islampur, in the district of Uttar Dinajpur
(Bengal).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar
For the Opposite Party/s : Mr. A.K.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-05-2016 The petitioner being husband of the
informant is apprehending his arrest in a case registered for
the offences punishable under Sections 341, 342, 323, 498A,
506, 504, 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 14 of the petition which reads as follows:-

“That it is humbly submitted
that petitioner is ready to keep the O.P. No. 2 as his

wife with full love, affection 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 one year on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Pothia P.S. Case No. 234 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 one year (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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