

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21200 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana -FORBESGANJ District- ARRARIA

=====

Rajid @ Pati Rajid @ Md. Rajid S/oMd. Israil

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Mustaque Alam(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending 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 accusation is of torture for non-fulfillment of the dowry demand.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and father of the petitioner has filed Complaint Case No.1152C/2015 against the father of the informant, prior to lodging of the present case, levelling accusation under sections 323, 379, 380, 452, 384, 354/34 of the Indian Penal Code wherein no order has been passed as yet. The informant has also filed Complaint Case

No.192C/2016, apart from the present one, levelling accusation under sections 498A/34. However, the petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 18 of the petition which reads as follows:-

"That the petitioner is yet ready to keep the complainant with full love and dignity."

Considering the present stand of the petitioner, let the above named 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 bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria, in connection with Forbesganj (Simraha) P.S. Case No.92/2016 , subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to

appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

Ashwini/-

U		T	
---	--	---	--

(Dinesh Kumar Singh, J)