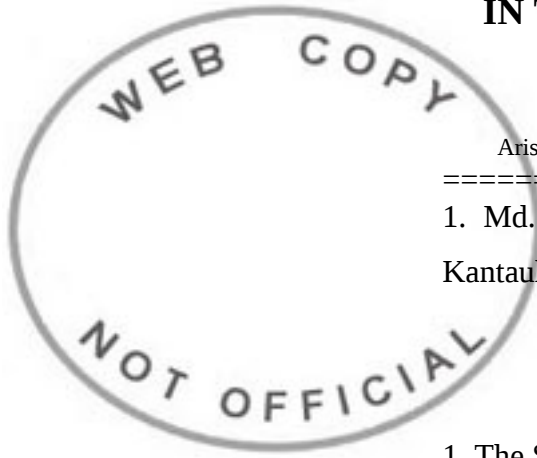




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31549 of 2015

Arising Out of PS.Case No. -140 Year- 2014 Thana -KAMTAUL District- DARBHANGA

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1. Md. Azad, Son of Md. Meraj Kabiruddin of Village Ramaul, PS-
Kantaul, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 08-04-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 307, 379, 313, 498A, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

The petitioner and complainant are present.



On the joint prayer of the parties, the matter was referred to the Mediation Centre of State Legal Services Authority vide order dated 12.10.2015. The report of the Mediator at Flag-X reflects that the matter could not be resolved.

It is submitted by learned counsel for the petitioner that petitioner admits the marriage with the complainant and he is ready to take the complainant from the court itself.

Learned counsel for the complainant is ready to accept the offer of the petitioner.

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 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 Chief Judicial Magistrate, Darbhanga in connection with Complaint Case No. Kamtaul P.S. Case No. 140 of 2014, arising out of Complaint Case No. 1367 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional 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; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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