

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36759 of 2016

Arising Out of PS.Case No. -828 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Haidar Ansari @ Haidar (ali) Ansari Son of Kurban Ansari, resident of
village- Bisaini Kala, Police Station- Rajpur, District- Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Shahnaj Khatoon son of Shahbudin Ansari and Wife of Haidar Ansari,
resident of Village- Bishaini Kalal, Police Station- Rajpur, District- Rohtas
at Sasaram, At Present-resident of Village- Tekanpura, Police Station
Suryapura, District- Rohtas at Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh

For the Opposite Party/s : Mr. Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 24-08-2016

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 Section
498A of the Indian Penal Code and sections 3 and 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:

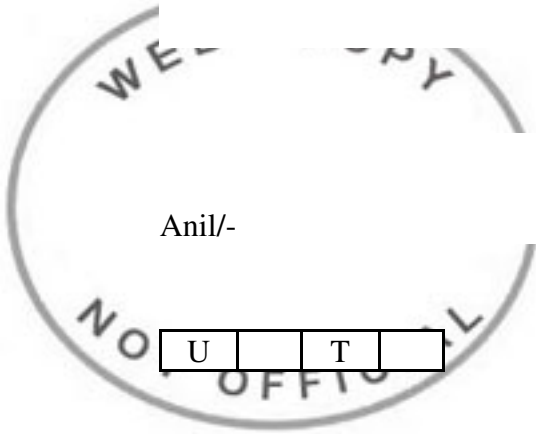
“That petitioner is husband of the complainant/ Opposite party no. 2 and petitioner is ready to keep his wife/ Opposite Party no. 2 with due dignity in accordance with his financial capacity.”

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, Bikramganj in connection with Complaint Case No. 828 of 2014 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)