

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37687 of 2015

Arising Out of PS.Case No. -285 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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1. Md. Ezaz Alam @ Md. Azaz Alam Khan @ Azaz Alam S/o Late Abdul
Rauf Ali Khan Resident of Mohalla - Alamganj Sasaram, P.S. Sasaram
(T), District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Nusarat Zahan D/o Md. Shahzahan Khan resident of Mohalla -
Kabirganj Ward No. 15, Sasaram, P.S. Sasaram (T), District - Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay
For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 04-08-2016 The petitioner being husband of the informant

is apprehending his arrest in a case registered for the offences
punishable under Sections 498A, 406, 328/511, 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 and making an attempt to poison
the informant.

On the joint prayer of the party the matter
was referred to the Mediation & Conciliation Centre of the
Bihar State Legal Services Authority vide order dated
18.08.2015. The report of the Mediator at Flag-C dated
20.06.2016 reflects that the issue could not be resolved
through the process of mediation.

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and birth of two children(one male and one female). The petitioner is now ready to keep the informant and children with dignity and honour.

It is submitted by learned counsel for the informant that informant accepts the offer of the petitioner for resumption of the conjugal life.

Both sides agree to appear before learned Court below on 12th of August, 2016, when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sasaram in connection with Sasaram(Agrer) P.S. Case No. 285 of 2015.

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 six months (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

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(Dinesh Kumar Singh, J)