

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39150 of 2016**

Arising Out of PS.Case No. -702 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE District-  
MUZAFFARPUR

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Md. Mohammadin son of Md. Nayeem Resident of Mohalla-Janki Asthan,  
P.S.-Town, District-Sitamarhi

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Zinat Praveen wife of Md. Mohammadin & daughter of Md. Kalimuddin  
Resident of Village-Paranti, P.S.-Bochahan, District-Muzaffarpur

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Anis Akhtar, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar -1

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

2      07-09-2016                      Heard learned counsels for the petitioner and the  
  
State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance has been taken for the offences punishable under Sections 498A, 504 and 506 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.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep her as wife with full dignity

and honour, statement to that effect has been made in para 7 of the petition which reads as follows:-

“That it is stated here that present petitioner is still willing to keep his wife with full dignity and honour....”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, East Muzaffarpur in connection with Complaint Case No. C-702 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance when the petitioner will take the complainant to her matrimonial house 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 (ii) if the complainant failed to appear or (iii) if the complainant

deliberately refuses to reside with the petitioner.

Amrendra/-  

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(Dinesh Kumar Singh, J)

