

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36973 of 2016

Arising Out of PS.Case No. -288 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Md. Ajub, son of Mustakeem, resident of village Pipra (Visraiya), P.S. Dhaka, district East Champaran Petitioners

Versus

1. The State of Bihar
2. Anguri Khatoon, w/o Md. Ajub, d/o Sarif, resident of village Pipra (Visraiya), P.S. Dhaka, district East Champaran, at present residing at Siswa Ajgari, P.S. Banjariya, district East Champaran Opposite Parties

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Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Adv.
For the Opposite Parties : Smt. Anita Kumari, APP 239

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-08-2016

The petitioner, being the husband of the complainant apprehending arrest in a case registered under Sections 498A of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

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

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. 8 of the petition, which reads as follows :

“That it is also submitted that the petitioner is still ready to keep the complainant with full respect and honour.”

It is, further, submitted that the similar stand was taken by the petitioner in the Court below.

Considering the present stand of the petitioner, above named, 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/- (rupees ten thousand) with two sureties of the like amount each in connection with Complaint Case No. C-288 of 2014 to the satisfaction of the Subdivisional Judicial Magistrate, Sadar, Motihari.

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 anticipatory 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)

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