

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43464 of 2016

Arising Out of PS.Case No. -32 Year- 2016 Thana -MAHILA P.S District- SUPAUL

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1. Md. Baseer Son of Late Md. Yeshuf Resident of Village- Tekuna, P.S.- Pratapganj, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Parmila Khatoon wife of Md. Baseer, Daughter of Md. Gulam Rasul Resident of Village- Gonha, Tola- Magarkupi, P.S.- Tribaniganj, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 494, 323, 307, 379, 504 and 506/34 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 and making attempt to cause burn injury. It is also alleged that the petitioner has performed second marriage.



It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant. However, at earlier point of time Complaint Case No. 291 C of 2012 was filed with accusation under section 498A IPC and sections 3 and 4 of Dowry Prohibition Act wherein the petitioner was granted provisional anticipatory bail on the undertaking to keep the informant with due dignity and honour and the provisional bail was to be confirmed by the learned court below on substantial restoration of matrimonial harmony or if the complainant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that the provisional bail was not confirmed by the learned court below since the complainant subsequently deserted the petitioner though the petitioner has performed second marriage.

Considering the nature of accusation, let the learned court below consider the prayer for bail of the petitioner in case the petitioner surrenders within six weeks from today in connection with Supaul Mahila P.S. Case No. 32 of 2016 pending in the court of learned A.C.J.M. IV, Supaul.

This application is disposed of with the
aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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