

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44602 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -GHOGHARDIHA District- MADHUBANI

Md. Sujauddin Ansari Son of Md. Manir Uddin Ansari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the daughter of the informant and he is ready to keep her as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

"That the petitioner is husband of the informant's

daughter, namely Rojita Khatoon and he is ready to keep her with full honour and dignity to resolve the entire matrimonial dispute."

Similar was the stand of the petitioner before the learned Court below which gets reflected from the impugned order.

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, Jhanjharpur at Madhubani in connection with Ghoghardiha P.S. Case No.99/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the daughter of the informant for her appearance. On her appearance, the petitioner will take the daughter of the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial

harmony is substantially restored (ii) if the daughter of the informant fails to appear before the learned court below or (iii) if the daughter of the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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