

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37588 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Tabrej Alam @ Suganu Khan S/o Mahmud Khan

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shabnam Khatoon W/o Tabrej Alam @ Suganu Khan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Sri Ramchandra Sahani, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-08-2016

Heard learned counsels for the petitioner, informant and
the State.

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

Basic accusation is of torture for non-fulfillment of
dowry demand.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with 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 7 of the petition
which reads as follows:-

"That the petitioner is husband of the informant and

he is ready to keep her with due dignity and honour."

It is further submitted that similar was the stand of the petitioner before the learned Court below.

Learned counsel for the informant submits that initially, the petitioner offered before the learned Court below to keep the informant as wife with full dignity and honour, but when the informant appeared, the petitioner deliberately choose not to appear, which gets reflected from the impugned order. However, the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 19th of September, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for five 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 CJM, West Champaran at Bettiah, in connection with Shikarpur P.S. Case No.57/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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