

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.454 of 2016

Arising Out of PS.Case No. -209 Year- 2015 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Raja Hussain @ Bhutto Alam S/o Nathu Mian R/o Village-
Pokharbhinda, P.S.- Kuchaikoat, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Harun Kahtoon, D/o Taj Hussain R/o Village- Ganga Hatta, P.S.-
Jamobazar, District- Siwan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad

For the Opposite Party/s : Mr. A.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

6 02-08-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 379, 406, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and birth of a child. The petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the petition which

reads as follows:-

“That it is further submitted that the petitioner is ready to keep the informant with full dignity and honour.”

It is further submitted that informant and her family members used to be very aggressive and they made assault to the petitioner and his father in the Court premises. A supplementary affidavit to that effect has been made.

Learned counsel for the informant denies the accusation levelled on behalf of the petitioner and submits that informant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 12th of August, 2016, when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Kuchaikot P.S. Case No. 209 of 2015.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three

eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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