

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36675 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -MAHILA PS District- KATIHAR

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Md. Saifuddin @ Saifuddin

.... Petitioner/s

Versus

1. State of Bihar
2. Bibi Amra Khatoon alias Rumisha Khatoon

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 20-10-2016 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered under Sections 498A,420 and 120B 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 transferring eight kathas of land to others which was gifted by the parents of the informant.

The petitioner admits his marriage with the informant and birth of two children. It is a fact that the land in question was purchased by the petitioner in the name of the informant and transfer was made not by the petitioner. It is submitted that the petitioner is still ready to keep the informant as wife with full

dignity and honour. Statement to the aforesaid effect has been made in paragraph 9 of the petition which reads as follows:

“That the petitioner being the husband always ready to keep the informant/wife with full honour, love and dignity which she deserves herself.”

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner. Both petitioner and the informant agree to appear before the learned court below on 15.11.2016 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 one year 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar in connection with Katihar Mahila P.S. Case No. 47 of 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 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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