

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46037 of 2016

Arising Out of PS.Case No. -2504 Year- 2013 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Akbar Ali Khan

.... Petitioner/s

Versus

1. State of Bihar
2. Reshma Khatoon

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 498A and 406 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.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant. It is further submitted that the issue has been resolved between the parties and they have decided to part ways. In support of the same order dated 16.9.2015 passed by the learned Principal Judge,

Family Court, Saran at Chapra has been brought on record to suggest that the Maintenance Case was withdrawn since the parties have resolved the issue and decided to live separately on payment of rupees sixty thousand which has already been paid.

Considering the aforesaid submissions, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of six 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 SDJM, Siwan in connection with Complaint Case No. 2504 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below will issue notice to the complainant and on her admission that the issue has been resolved between the parties the provisional anticipatory bail will be confirmed by learned court below.

(Dinesh Kumar Singh, J)

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