

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46999 of 2016

Arising Out of PS.Case No. -1155 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Enamul Haque @ Md. Enamul, son of Md. Nazir Hussain, resident of
village- Bhabni, P.O. Mahadevpur, P.S. Pranpur, District- Katihar.

.... Petitioner

Versus

1. The State of Bihar
2. Bibi Mukhtara Khatoon, wife of Enamul Haque, daughter of Mukhlesh,
resident of village – Mahuar, P.S.- Manihari, District- Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Asharaf Ansari

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 26-10-2016

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant 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 it is stated that the petitioner is always ready
to keep the complainant with full dignity and honour.”

Considering the aforesaid stand of the petitioner, 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 six months on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of S.D.J.M.,
Katihar, District- Katihar in connection with C.A. Case No.1155
of 2015.

The provisional anticipatory bail of the petitioner will
be confirmed by the learned Court below in three eventualities (ii)
On substantial restoration of the matrimonial harmony within a
period of one year (ii) If the complainant fails to appear before
learned Court below (iii) If the complainant is reluctant to
reconcile the issue.

(Dinesh Kumar Singh, J)

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