

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11434 of 2016

Arising Out of PS.Case No. -646 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Md. Ashraf Son of Md. Isha R/o Village- Balat, P.S.- Sakari, District-
Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Ishrat Pravin W/o Md. Ashraf, R/o Village- Balat, P.S.- Sakari, District-
Madhubani, present Add.- D/o Md. Washir, R/o Village- Balaha, P.S.-
Pandaul, District- Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar
For the Opposite Party/s : Mr. Anusaiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-03-2016 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 Sections 323, 341, 498A, 504 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.

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 9 of the petition which reads as follows:-

“That the petitioner is ready
to keep the complainant with full dignity and
honour”

Considering the present 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 learned Sub-Divisional Judicial Magistrate,
Madhubani in connection with Complaint Case No. 646 of
2013.

Let learned Court below issue notice to the
complainant and fix a date for her appearance. On appearance,
the petitioner will take the complainant to her matrimonial
house to keep her as wife with full dignity and honour.

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 six months (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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