

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12824 of 2016

Arising Out of PS.Case No. -102 Year- 2014 Thana -SIKTI District- ARRARIA

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1. Md. Asraf son of Mustaque, resident of Village- Barudah, Police Station- Sikty, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

2. Asmina Khatoon, D/o Samad R/o village- Kamaldaha, P.S.-Kursakanta, District- Araria.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-06-2016 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 498A, 506 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand and causing burn injury.

It is submitted by the learned counsel for the petitioner that petitioner admits the marriage with the informant and he is ready to keep the informant as wife with

full dignity and honour. Statement to that effect has been made in para-11 of the petition which reads as follows:-

“That the petitioner is husband of the informant and always ready to keep her with full honour, dignity, love affections and all desires.”

Learned counsel for the informant submits that though the informant is apprehensive due to past conduct of the petitioner, but she is ready to accept the offer of the petitioner.

Both the petitioner and informant agree to appear before the learned court below on 25th of July, 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 six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Sikty P.S. Case No. 102 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within six months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to

reconcile the issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)