

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16669 of 2016

Arising Out of PS.Case No. -813 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Jahangir Ansari @ Sonu Ansari

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Raj

For the Opposite Party/s : Mr. Nirmal Kumar Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and under section 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner admits marriage with the complainant. On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

*“8. That it is relevant to submit here that
petitioner is always ready to keep and live with his*

wife with full dignity and honour, but she is not ready and always refused to live with her husband.”

It is further submitted that similar stand was taken by the petitioner before learned court below but the complainant failed to appear before the learned court below which fact is get reflected from the second last paragraph of the impugned order.

Considering the present stand of the petitioner, let the learned court below make fresh efforts for reconciliation of the issue between the parties.

Considering the above facts, 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, Bikramganj, Rohtas in connection with Complaint Case No. 813 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

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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