

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15164 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -BIHIYA District- BHOJPUR

=====

Mazhar Khan, son of Md. Alim Khan, resident of Village-Rani Sagar, P.S.-
Shahpur, District-Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Noor Bano Khaton, wife of Mazhar Khan, daughter of Md. Abbas Khan, resident of Village-Baghi(Banahi), P.S.-Behiya, District-Bhojpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504/34 of the Indian Penal Code.

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 informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner is ready
to keep the informant with full dignity but informant
herself appear in the Court below and stated that she
does not want to stay with him and she wants

divorce with him”

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 one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Assistant Chief Judicial Magistrate, Bhojpur at Ara in connection with Behiya P.S. Case No. 37 of 2016, G.R. No. 993 of 2016.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant 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 one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Shageer/-

U		T	
---	--	---	--