

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27661 of 2016

Arising Out of PS.Case No. -105 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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Tousif Raza Khan, son of Khurshid Khan, resident of village Salempur, P.S. Dobhi, District Gaya, at present resident of village Kukurman, P.S. Partappur, District Chatra (Jharkhand)

.... Petitioner

Versus

1. The State of Bihar
 2. Gulistan Parween, wife of Tousif Raza Khan, resident of village Kukuman, P.S. Partappur, District Chatra (Jharkhand) at present residing in the village Azizabad, Bhadeya, P.S. Barachatti, District Gaya
- Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-07-2016 Heard learned counsel for the parties.

The petitioner being the husband of the complainant is languishing in custody since 28.5.2016 in a case registered for the offence punishable under section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that on persuasion of a co-ordinate Bench of this Court both the parties agreed to live together and the petitioner was granted provisional anticipatory bail vide order dated 26.3.2014 passed by a co-ordinate Bench of this Court in Cr.Misc.No. 39539 of 2013



on the ground that he shall persuade his father to take necessary steps for compromise the case which has been filed by the petitioner's father against the family members of the complainant but thereafter the issue could not be resolved. The complainant while being taken to matrimonial house was assaulted leading to registration of Barachatti P.S.Case No. 122/2014 by complainant against the petitioner. Consequently Cr.Misc.No. 39539/2013 was disposed of with direction to learned court below to consider the prayer for regular bail considering the explanations of both sides.

It is submitted that the petitioner is still ready to keep the complainant with full dignity and honour. A statement to that effect has been made in paragraph 9 of this application.

Considering the aforesaid facts, let the petitioner, abovenamed, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Sherghati, District Gaya in Complaint Case No. 105/2013.

(Dinesh Kumar Singh, J)

Surendra/-

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