

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29493 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -CHAPRA MUFFASIL District- SARAN

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Sabir Ali, S/o Saimuddin, R/o Village- Naini, P.S. Mufissil, District- Saran.

.... Petitioner

Versus

1. The State of Bihar.
2. Muni Khatoon D/o Wakil Miyan, R/o Village- Nur Nagar Kanhi, P.S-
Jalalpur, District- Saran.

.... Opposite Parties

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Appearance:

For the Petitioner/s : Mr. Awadhesh Kumar Singh
For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2016 Heard learned counsels for the petitioner and the State.

Petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 379, 504/34 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of dowry demand of Rs. 50000/- and a Honda Shine motorcycle.

It is also alleged that the accused persons tried to set the informant ablaze by sprinkling kerosene oil, but the injuries are simple.

It is submitted by learned counsel for the petitioner that the matter was referred for mediation by learned court below, but mediation failed. The petitioner is ready to keep the informant with full dignity and honour. A statement to this effect

has been made in Para-7 of the petition, which reads as follows:-

“That petitioner is husband of complainant and ready to keep her with all dignity and status of wife.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event 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 Chief Judicial Magistrate, Saran in connection with Chapra Muffasil Police Station Case No. 34 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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