

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45986 of 2015

Arising Out of PS.Case No. -53 Year- 2005 Thana -TARIYANI CHOWK District- SHEOHAR

Mahmud Alam

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Opposite Party/s : Mr. Zainul Abedin(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 21-01-2016 Heard learned counsels for the petitioner and the

State.

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

The basic accusation is of torture for non-fulfilment of the dowry demand.

Learned counsel for the petitioner submits that the 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 12 of the petition which reads as follows:-

“That it is relevant to state that the petitioner is ready to keep informant with proper respect and lead happy family life.”

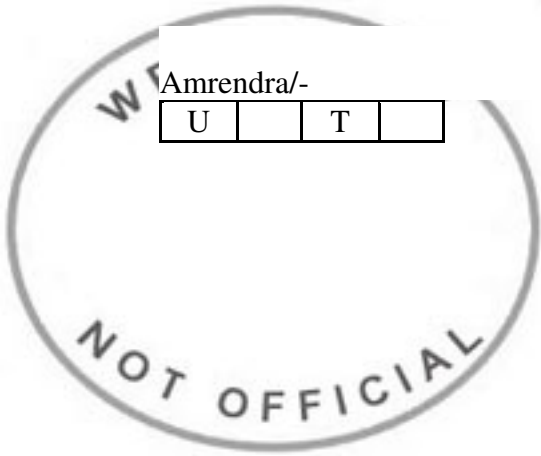
Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 3rd of February, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Though, the case was institute in the year 2005 but considering the present stand of the petitioner to keep the informant as wife with full dignity and honour which being accepted by the informant, let the above named petitioner be released on provisional anticipatory bail for three months 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sheohar in connection with Tariyani P.S. Case No. 53 of 2005, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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.



Amrendra/-

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(Dinesh Kumar Singh, J)