

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45266 of 2015

Arising Out of PS.Case No. -22 Year- 2015 Thana -NAVHATTA District- SASARAM (ROHTAS)

=====

Jalluddin Hajjam @ Jalaluddin Hajjam S/o Sarfuddin Hajjam resident of
Village - Kamal Khairwam P.S. - Nauhatta, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Hasbun Nisha, W/o Jallaluddin Hazzam D/o Raushandin Hazzam, R/o
village – Hariharganj, P.S. Nasariganj, District – Rohtas.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 25-02-2016

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A, 323, 509/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and birth of three children. Earlier also the informant filed Dehri Mahila P.S. Case No. 26 of 2014 levelling accusation

under Sections 498A, 323, 341 and 504/34 wherein the petitioner has been granted bail.

The petitioner and the informant are present in the Court.

Counsel for the further submitted that the petitioner is ready to keep the informant and the children with dignity and honour, though, specific statement has not been made in the petition.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 4th March, 2016 when the petitioner will take the informant and the children to keep them with dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Dehri, District - Rohtas in connection with Nauhatta P.S. Case No. 22 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

DKS/-

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