

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33970 of 2016

Arising Out of PS.Case No. -36 Year- 2014 Thana -MAHILA P.S. District- NAWADA

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Md. Allauddin son of Md. Naris.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Sri Pranav Kumar(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-08-2016

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, 341, 379 and 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her as wife with full dignity and honour, statement to that effect has been made in para 10 of the petition which reads as follows:-

“That it is submitted that the petitioner being husband want to keep with full dignity and honour.”

It is submitted by the learned counsel for the informant that the informant is ready to accept the offer of the petitioner but the petitioner used to go to Saudi Arab and does not care about the informant.

It is further submitted by learned counsel for the petitioner that the petitioner will take care of the informant.

Both sides agree to appear before the learned court below on 29th of August, 2016 when the petitioner will take the informant to keep her as wife with full 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 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 CJM, Nawada in connection with Nawada Mahila P.S. Case No. 36 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant failed to appear or (iii) if the informant deliberately

refuses to reside with the petitioner.

Amrendra/-

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(Dinesh Kumar Singh, J)

