

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28590 of 2016

Arising Out of PS.Case No. -1935 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Md. Jamil Ahmad @ Vikki @ Jamil Ahmad, son of Late Md. Jamal Ahmad,
Resident of G-225, Battical Lane No.2, P.S. Gardan Reep, Kolkatta-700024.
.... Petitioner

Versus

1. The State of Bihar
2. Chandni Khatoon, wife of Md. Jamil Ahmad @ Vikki @ Jamil Ahmad,
D/o Md. Ekram, Resident of Mohalla- Ishakchak, P.S. Ishak Chak,
District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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

2 13-07-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Sections 323, 498A of the Indian Penal
Code and 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant and he is
ready to keep the complainant as wife with full dignity and

honour. A statement to that effect has been made in paragraph-11 of the petition which reads as follows :-

“That it is stated and submitted that the petitioner is always ready to keep the complainant with giving all due regard and honour.”

Considering the present stand of the petitioner, 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 Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Subdivisional Judicial Magistrate, Bhagalpur in connection with Complaint Case No.1935 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for appearance. On her appearance, the petitioner will take the complainant 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

complainant fails to appear before the learned court below or (iii)
if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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