

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39904 of 2016

Arising Out of PS.Case No. -110 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Naushad @ Naushad Alam son of Manjarul Mistri Resident of Village &
P.O.- Baholpur, P.S.- Dhaka, Dist- East Champaran Petitioner

Versus

1. The State of Bihar

2. Rokhsana Khatoon wife of Naushad, Daughter of Abdul Kudush
Resident of Village & P.O.- Bahlolpur, P.S.- Dhaka, Dist- East Champaran.
at presnet residing at Village- Baria, Chowki, Banjaraha, P.S.- Gaur,
District- Routhat (Nepal) Opposite Parties

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Appearance :

For the Petitioner : Mr. Kumar Praveen, Adv.

For the Opposite Party : Smt Pushpa Sinha, APP 45

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

ORAL ORDER

2 19-09-2016

The petitioner, being the husband of the complainant apprehending arrest in a case registered under Sections 498A, 379, 406, 307 and 34 of the Indian Penal Code.

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

The learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition, which reads as follows :

“That petitioner is ready to keep his wife and daughter with all care, dignity and love for that on several occasions petitioner went to his sasural to bring his wife to his home but she refused to go on the one pretext or the other.”

Considering the present stand of the petitioner, above named, he be released on **provisional anticipatory bail for**

six months in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 110 of 2016 (Trial No. 2442 of 2016) to the satisfaction of Sri Manoj Kumar Judicial Magistrate, 1st Class, Dhaka, East Champaran at Motihari.

Let the learned Court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

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

(Dinesh Kumar Singh, J)

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