

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45788 of 2016**

Arising Out of PS.Case No. -174 Year- 2016 Thana -DHAKA District-  
EASTCHAMPARAN(MOTIHARI)

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Jubair, son of Sk. Latif, resident of village- Chak Nagari, P.S.- Dhaka,  
District- East Champaran.

.... .... Petitioner

Versus

1. The State of Bihar
2. Akhatari Nesha, wife of Jubair, resident of village- Chak Nagari, P.S.-  
Dhaka, District- East Champaran.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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

**ORAL ORDER**

2      20-10-2016                      The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 379, 504 and 323 of the Indian Penal Code.

Prosecution case is of torture after 27 years of the marriage.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. It is further submitted that the petitioner has not got second marriage. A statement to that effect has been made in para 11 of the petition which reads as follows :-

“ That it is humbly submitted that the petitioner is

husband and he is ready to keep his wife with full honour and dignity.”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Sikarhna at Dhaka, East Champaran in connection with Dhaka P.S. Case No.1174 of 2016.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house 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) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

N.H./-

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