

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44177 of 2016

Arising Out of PS.Case No. -881 Year- 2015 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Iftexhar Ahmad son of Late Abdul Sattar R/o village Mahalla Nizamat
Hussain Road Deoghar, P.S. & Dist. Deoghar (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Heena Praveen W/o Iftexhar Ahmad, D/o Md. Salim Siddiqui R/o Vill.
Itarhi, P.S. Itarhi, Dist. Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Dashrath Mehta

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 06-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instruction it is submitted that the petitioner admits his marriage with the complainant in 2012 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 it is also submitted that the petitioner is still ready to keep her with full dignity and with love and care to the complainant.”

Though it appears from the impugned order that when the complainant appeared before the learned court below, the petitioner failed to appear.

Considering the present stand of the petitioner, let the above named petitioner 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Buxar in connection with Complaint Case No. 881 C of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 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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