

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40004 of 2016

Arising Out of PS.Case No. -73 Year- 2016 Thana -CHENARI District- SASARAM (ROHTAS)

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1. Aurangzeb Ansari S/o Shakil Ansari R/o village-Gali No.-24 Vidya Nagar-IIIE Katol Road, P.S.-Nagar, District-Nagpur, Maharashtra, Pin-440013 at Present Residing at Village- Mewati Tola P.S.+ P.O.-Sadaram, District-Rohtas, Sasaram

.... Petitioner/s

Versus

1. The State of Bihar
2. Pappu @ Isteyak S/o - Afrabh Alam R/o Village- Banauli, P.S.-Chenari, District-Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-09-2016 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the sister of the informant is apprehending arrest in a case registered under Sections 341,323 and 498A/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands. It is also alleged that the petitioner duped the sister of the informant claiming himself to be the Manager of the bank in Nagpur.

The petitioner admits his marriage with the sister of

the informant. On instructions, it is submitted that the petitioner is ready to keep her as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph 12 of the petition which reads as follows:

“That the petitioner is ready to keep his wife with full dignity and care towards his wife.”

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner. Both petitioner and the informant agree to appear before the learned court below on 3.10.2016 when the petitioner will take the informant to keep her as wife with full dignity 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 ACJM, Rohtas at Sasaram in connection with Chenari P.S. Case no. 73 of 2016 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 or (ii) if the sister of the informant fails to appear before the learned court below or (iii) if the sister of the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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