

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44881 of 2016

Arising Out of PS.Case No. -1376 Year- 2015 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Md. Saddam Hussain @ Md. Saddam Son of Late Md. Hussain @ Md. Hanif, resident of village-Parora, P.S- Khodawandpur, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nasrin Khatoon , Wife of Md. Saddam Hussain, Daughter of Md. Washi Ahmad, resident of village-Parora, P.S.- Khodwandpur, District- Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Kumar

For the Opposite Party/s : Mr. Gopesh Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-10-2016 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken under Sections 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.

The petitioner admits his marriage with the complainant. On instructions, it is submitted that the petitioner is

ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph 8 of the petition which reads as follows:

“That the petitioner is always ready to live and keep the complainant as wife with all love and affection, if she is ready to live with him along with his mother.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 9.11.2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 SDJM, Begusarai in connection with Complaint Case No. 1376 C of 2015 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 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)

Anil/-

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