

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58161 of 2015

Arising Out of PS.Case No. -79 Year- 2015 Thana -CHANDRADEEP District- JAMUI

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1. Md. Shamshad Alam, son of Md. Salim, resident of Village:- Arha,
P.S.- Chandradeep, District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kislay

For the Opposite Party/s : Mr. Amitesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-01-2016

The petitioner being husband of the informant is apprehending his arrest in a registered for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

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. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner is always ready and willing to keep his wife with full dignity and honour.”

It is submitted by learned counsel for the

informant that informant is ready to accept the offer of the petitioner provided petitioner keeps her with dignity and honour.

Both sides agree to appear before learned Court below on 8th of February, 2016, when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, 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 one year on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class/Chief Judicial Magistrate, Jamui in connection with Chandradeep P.S. Case No. 79 of 2015.

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 informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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