

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 46995 of 2016

Arising out of PS. Case No. - 552 Year - 2016 Thana - MUNGER COMPLAINT CASE District-
MUNGER

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Md. Zakir Hussain @ Md. Jakir Hussain, Son of Md. Shafi Ahmad,
Resident of Mohalla Shafique Nagar Ukhra, Police Station Ukhra, District
Burdwan (West Bengal)

.... Petitioner

Versus

1. The State of Bihar
2. Gulshan Ara, Wife of Md. Zakir Hussain

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate

For the Opposite Parties : Mr. Jitendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-10-2016

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein processes have been directed to be issued after
cognizance being taken for the offences punishable under Section
498(A) of the Indian Penal Code.

The basic accusation is of torture.

It is alleged that the in-laws family used to make
discrimination with regard to male and female twin child of the
complainant.

Counsel for the petitioner admits his marriage with
the complainant and is ready to keep her as wife with full dignity

and honour, statement to that effect has been made in paragraph 12 of the petition which reads as follows:-

“That it is submitted that the petitioner is husband and ready to keep his wife with full dignity and quite peacefully.

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 his 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 Additional Chief Judicial Magistrate-III, Munger in connection with Complaint Case No. 552 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance when the petitioner will take the complainant to her matrimonial house 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 (ii) if the complainant failed to appear or (iii) if the complainant deliberately

refuses to reside with the petitioner.

(Dinesh Kumar Singh, J.)

