

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36397 of 2016

Arising Out of PS.Case No. -1453 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Md. Jahangir son of Md. Israil Resident of Village- Barari, Police
Station- Meharma, District- Godda (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saiyda Yasmin wife of Md. Jahangir, daughter of Md. Abid Hussain
Resident of Mohalla- Naya Tola Barahpur Bhatta, Police Station-
Ishakchak, District- Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Md. Aslam Ansari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 23-08-2016 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 sections 3 and 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 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. 11 of the petition which reads as follows:

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

It is further submitted that similar was the stand of the petitioner before the learned court below.

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 SDJM Bhagalpur in connection with Complaint Case No. 1453 of 2014 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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