

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16829 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MAHILA PS District- KATIHAR

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Md. Ilyas, S/o Md. Kalu, resident of village- golaghat Sirnia Bari Muslim
Tola, Police Station- Muffasil Katihar, District- Katihar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Advocate

For the Opposite Party/s : Mr. S.Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 19-04-2016

Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered
for the offences punishable under Sections 498A, 323,
506/34 of the Indian Penal Code and 3/4 of the Dowry
Prohibition Act.

The basis accusation is of torture for non-
fulfillment of dowry demand.

On instruction it is submitted by learned
counsel for the petitioner that petitioner admits the
marriage with the informant and he is ready to keep the
informant as wife with full dignity and honour. Statement
to that effect has been made in para- 11 of the petition
which reads as follows:-

“That the petitioner is ready to
keep his wife with full dignity, love, care

and affection.”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar in connection with Mahila P.S. Case No. 05 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 informant on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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