

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21039 of 2016

Arising Out of PS.Case No. -651 Year- 2013 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Md. Taukir Alam Son of Md. Khalid Resident of Village- Paina, PS
Chausa, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Etrun Khatoon Wife of late Md. Masud Alam Resident ofn Village:
Dighaun, PS Beldaur, District Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar
For the Opposite Party/s : Mr. Asha Devi(App)

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

2 11-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section498A 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. 9 of the petition which reads as follows:

“ That it is relevant to state here that petitioner is the husband of victim and he is still ready to keep her wife with full dignity and honour.”

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 Khagaria in connection with Complaint Case No. 651C of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the daughter of the complainant and on her appearance the petitioner will take the daughter of 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 daughter of the complainant fails to appear before the learned court below or (iii) if the daughter of the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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