

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32234 of 2016

Arising Out of PS.Case No. -191 Year- 2016 Thana -BODHGAYA District- GAYA

1. Md. Jamil Khan son of Md. Kasim Khan resident of village- Millat Colony Cherki, P.S.- Cherki, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nikhat Parvin @ Anjum wife of Md.Jamil Khan resident of village- Millat Colony Cherki, P.S.- Cherki, District- Gaya.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mr. Sri Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2016 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 Section 498A 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.

It is submitted by learned counsel for the petitioner that petitioner admits his 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- 7 of the petition which reads as follows:-

“That the petitioner is ready to settle the matter and he is also ready to keep his wife with full honour and dignity.”

It is further submitted that the impugned order reflects that the informant herself refused to resume the conjugal life.

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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya/ Cherki P.S. Case No. 191 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 by the learned court below on issue

being reconciled between the parties.



(Dinesh Kumar Singh, J)