

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45889 of 2016

Arising Out of PS.Case No. -3580 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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Abdul Wahid, son of Abdul Bahab, resident of village- Sisauna, P.S.-
Jokihat, District- Araria.

.... Petitioner

Versus

1. The State of Bihar
2. Bibi Shabnam, wife of Abdul Wahid, daughter of Md. Mustaque,
resident of village- Ajhawa Sigar Moham, P.S.- Jokihat, District- Araria.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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

ORAL ORDER

2 20-10-2016 Learned counsel for the petitioner is permitted to
make necessary correction in paragraph-15 of the petition.

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 34 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full

dignity and honour. A statement to that effect has been made in para 18 of the petition which reads as follows :-

“ That the petitioner is yet ready to keep the complainant with full love and dignity.”

It is further submitted that the petitioner filed Matrimonial Case No.3616 of 2016 before the Principal Judge, Family Court, Araria for restitution of conjugal life.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Araria in connection with Complaint case No.3580C of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before

learned Court below (iii) If the complainant is reluctant to
reconcile the issue.

(Dinesh Kumar Singh, J)

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