

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37164 of 2016

Arising Out of PS.Case No. -6023 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Md. Nehal son of Md. Eqbal, Resident of Village- Koshi, P.S.- Roh,
District- Nawada Petitioner

Versus

1. The State of Bihar
2. Reena Praween Wife of Md. Nehal, D/o of Md. Amzad, Resident of
Village- Koshi, P.S.- Roh, District- Nawada Opposite Parties

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Appearance :

For the Petitioner : Mr. Deepak Kumar, Adv.

For the Opposite Parties : Mr. Nawal Kishore Prasad, APP 113

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

ORAL ORDER

2 29-08-2016 Heard the learned counsel for the petitioner and the
State.

The petitioner, being the husband of the complainant,
apprehending arrest in a case registered under Section 498A of the
Indian Penal Code in which cognizance has also been taken.

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

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. 10. of the
petition, which reads as follows :

“That the petitioner humbly states and submits that
he is still ready to keep the complainant/opposite
party no. 2 as wife with full honour and dignity.”

It is, further, submitted that the accusation has been
levelled against the petitioner, who caused burn injury to the
complainant, but, during solemn affirmation, the complainant has

not supported the allegation.

Considering the present stand of the petitioner, above named, 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 twelve weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 6023 of 2015 to the satisfaction of the Additional Chief Judicial Magistrate, III, Nawadah.

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 anticipatory 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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