

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45056 of 2016

Arising Out of PS.Case No. -167 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Junab Ansari @ Junav Ansari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 307/313/406/498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of the dowry demand. It is also alleged that due to the assault the pregnancy of the informant got terminated.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant. There is no medical report to suggest that the pregnancy actually got terminated. The petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

"That the petitioner is ready to keep the informant with full honour and dignity as his wife."

It is further submitted that the issue has been reconciled between the parties and to that effect a compromise petition has been filed before the learned Court below, the same has been brought on record as annexure-2 series to the petition. The father of the petitioner namely Amin Ansari lodged Turkauliya P.S. Case No.84/2016 with accusation under sections 341, 323, 380, 452, 384, 387, 406/34 of the Indian Penal Code against the informant's side.

Considering the present stand of the petitioner and filing of compromise petition before the learned Court below, 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 twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran, in connection with Turkaulia P.S. Case No.167/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, if the informant supports

the factum of compromise petition then the provisional bail of the petitioner will be confirmed by the learned Court below.

Ashwini/-

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(Dinesh Kumar Singh, J)