

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30821 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -MAHILA P.S District-
WESTCHAMPARAN(BETTIAH)

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Sabir Ansari, son of Md. Mannan resident of Village- Khodi Diuliya, P.S.-
Shikarpur, District- West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Shahjahan Khatoon, wife of Sabir Ansari, and daughter of Shaukat Ali
resident of Village- Mastan Tola, Ward No.24, P.S.- Bagaha, District- West
Champaran.

.... Opposite Parties

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Appearance:

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 25-07-2016 Heard learned counsels for the petitioner and the

State.

Petitioner being the husband of the informant is
apprehending his arrest in a case registered for the offences
punishable under Sections 498(A)/34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture.

It is submitted by learned counsel for the petitioner
that the petitioner admits his marriage with the informant and
birth of a male child.

However, the accusation has been levelled against

the petitioner for making assault and causing burn injury, but no burn injury has been caused to the informant. Impugned Order reflects that the petitioner and the informant appeared before the court below for reconciliation, but the reconciliation failed.

Now, the petitioner is ready to keep the informant with full dignity and honour. A statement to that effect has been made in Para-9 of the petition, which reads as follows:-

“That the petitioner has always been/is ready to keep her with full dignity and honour, respect and comfort, safety and security.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event or surrender before the learned Court below within a period of twelve 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 Sub-Divisional Judicial Magistrate, Bagaha, West Champaran in connection with Bagaha Mahila P. S. Case No. 10 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 for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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