

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37055 of 2016

Arising Out of PS.Case No. -30 Year- 2015 Thana -AMDABAD District- KATIHAR

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1. Md. Jamir @ Jamirul @ Md. Jamirul Son of Abdul Barik @ Muvarak
Husain Resident of village- Babla Banna, Police Station- Amdabad,
District- Katihar Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Md. Rahmatullah, Adv.

For the Opposite Party : Mr. Kalyan Shankar, APP 30

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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 informant,
apprehending arrest in a case registered under Sections 498A and
307/34 of the Indian Penal Code and 3 and 4 of the Dowry
Prohibition Act.

The basic accusation is of torture for non-fulfillment
of dowry demand and making attempt to strangle the
informant.

On instruction, it is submitted that the petitioner
admits his marriage with the informant 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. 13 of the
petition, which reads as follows :

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

It is, further, submitted that the petitioner has filed
Matrimonial Suit No. 100A of 2015 prior to the instant case and
there is nothing on record to suggest that any injury was caused to

the informant.

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 Amdabad P.S. Case No. 30 of 2015 to the satisfaction of Sri R.K. Mishra, Judicial Magistrate, 1st Class, Katihar, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

Let the learned Court below issue notice to the informant and on her appearance the petitioner will take the informant 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 informant fails to appear before the learned Court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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