

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47064 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -BARURAJ District- MUZAFFARPUR

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Samiullah @ Guddu Ansari

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Umashankar Pd. Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-10-2016

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 offence punishable under Sections 341,323,504,506,376 and 498A of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demand at the behest of the petitioner. When the petitioner went abroad for his employment then the petitioner's younger brother namely Ainul alias Lallan tried to ravish the informant.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour though

from the impugned order it does not appear that any such stand was taken before the learned court below. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

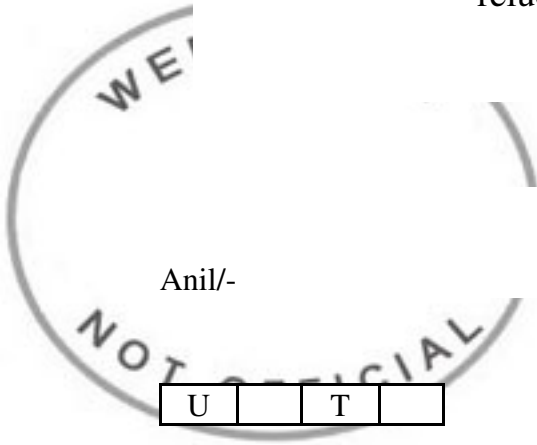
“That the petitioner is ready to keep his wife (Informant) with full honour and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for two months in the event of arrest or surrender before the learned Court below within a period of four 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 JM Ist Class, Muzaffarpur in connection with Baruraj P.S. Case No. 68 of 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 and 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 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.



Anil/-

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(Dinesh Kumar Singh, J)