

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16399 of 2016

Arising Out of PS.Case No. -454 Year- 2014 Thana -ARA NAGAR District- BHOJPUR

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Md. Sagir Ahmad @ Md. Sagheer Ahmad, S/o Late Sammi Ahmad,
resident of village- Haswadih, P.S.- Piro, District- Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Ashok Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-04-2016

Heard learned counsel for the petitioner and the
State.

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

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

On instruction it is submitted by learned counsel for the petitioner that petitioner admits the marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 8 of the petition which reads as follows:-

“That the petitioner is the husband of the complainant and the petitioner is also ready to keep the complainant with full honour and dignity. ”

Similar was the stand of the petitioner

before the learned court below, but the informant refused to accept the offer of the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara in connection with Ara Town P.S. Case No. 454 of 2014, 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 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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