

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.15898 of 2016**

Arising Out of PS.Case No. -550 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE District-BEGUSARAI

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Md. Noor Alam S/o Md. Hani @ Mannu ..... Petitioner/s  
Versus  
State of Bihar & Anr ..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Randhir Kumar No-1  
For the Opposite Party/s : Mr. Binod Kumar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 11-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A, 323, 397/34 of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner admits marriage with the complainant. On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

*“9. That the petitioner is ready to keep her with full honour and dignity.”*

Considering the present stand of the petitioner coupled

with the fact that though the complaint was filed in the year 2012 but the order of cognizance was passed on 27.05.2013, let the above named petitioner be released on provisional anticipatory bail for four 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Begusarai in connection with Complaint Case No. 550C of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

**(Dinesh Kumar Singh, J)**

BKS/-

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