

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36150 of 2016

Arising Out of PS.Case No. -93 Year- 2016 Thana -DUMRAUN District- BUXAR

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Jabir Hussain, Son of Md. Rahmatullah, R/o Mohl- Chowk Road Dumraon,
P.O. + P.S. – Dumraon, Distt. – Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shahina Parveen, Wife of Jabir Hussain, R/o Mohl- Munim Chowk
Road Dumraon, P.O. + P.S. – Dumraon, Distt.- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kritya Nand Jha

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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

ORAL ORDER

05/ 20-09-2016

Heard learned counsels 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 Sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full

dignity and honour. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That the petitioner is ready to keep her with full respect and dignity but informant herself refuses to go with her husband with a false and fabricated allegation.”

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 4th of October, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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, Buxar in connection with Dumraon P.S. Case No. 93 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed 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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