

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44976 of 2016

Arising Out of PS.Case No. -71 Year- 2016 Thana -KESARIA District- -

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1. MD. NEZAMUDDIN @ NEZAMUDDIN son of Late Md. Isahak
resident of Village- Bhojpatti, P.O. Kaji Mohammad, P.S.- Paru, District-
Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 17-10-2016 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 Sections 498A, 406,
504, 506/34 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that petitioner admits his 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 being
husband of the informant and ready to
keep his wife with full respect and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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, Motihari, East Champaran in connection with Keshariya P.S. Case No. 71 of 2016, 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 six months 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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