

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23830 of 2016

Arising Out of PS.Case No. -1816 Year- 2014 Thana -COMPLAINT CASE District- BANKA

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Md. Sonu Ansari son of md. Badruddin Ansari, Resident of Village-
Punraini, Khaja nagar, Naya Tola, Police Station- Jagdishpur, District-
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Nirali Khatoon Wife of Md. Sonu Ansari, daughter of Md.
Shahjahan, Resident of village- POUraini, Khaja Nagar, Naya Tola, Police
Station- Jagdishpur, district-Bhagalpour.At present: Resident of Village-
Dumrama, Police Station-Amarpour, Distric- Banka.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Ram Bechan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case wherein process has been
directed to be issued after cognizance being taken for the
offences punishable under Section 498A of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant and is ready

to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner is husband and ready to keep his wife with dignity and quite peacefully.”

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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Banka in connection with Complaint Case No. 1816 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the

complainant fails to appear before the learned court below or (iii)
if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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