

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45684 of 2016

Arising Out of PS.Case No. -147 Year- 2016 Thana -KOTWA District-
EASTCHAMPARAN(MOTIHARI)

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Md. Tabrej Alam @ Tabrez Alam, son of Atiullah, resident of village-
Khajuriya, P.S.- Kotwa, District- East Champaran.

.... Petitioner

Versus

1. The Sate of Bihar
2. Sahana Begam, wife of Tabrez Alam, daughter of Shekh Qyum, resident
of village- Jaisingh Pur Khirua Bazar, P.S.- Turkauliya, District- East
Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Smt Indu Kumari Srivastava

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

2 20-10-2016 Learned counsel for the petitioner is permitted to

make necessary correction in paragraph-9 of the petition.

The petitioner being husband of the informant is
apprehending his arrest in a case registered for the offences
punishable under Section 498(A)/34 of the Indian Penal Code and
Section 34 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner
on instruction that petitioner admits his marriage with the
informant and is ready to keep the complainant as wife with full
dignity and honour and the present case was lodged within three

months of the marriage. A statement to that effect has been made in para 9 of the petition which reads as follows :-

“ That the petitioner again stated that he is ready to keep the informant with full honour and dignity and also undertake to maintain her if so she desire. The petitioner is poor daily wages earner, law abiding citizen and ready to abide any terms and conditions as laid down by this Hon’ble Court, if released on bail.”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Motihari, East Champaran in connection with Kotwa P.S. Case No.147 of 2016.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a

period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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