

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26319 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -RANIGANJ District- ARRARIA

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Md. Riyasat, Son of Md. Asgar Ali, Resident of village Akhtiyarpur
Madarsa Cowk, Kamat Tola, P.S.-Sarsi, District-Purnea.

.... Petitioner

Versus

1. State of Bihar.
2. Anjan Khatoon D/o Md. Suleman wife of Md. Raiyasad, resident of
village Koshikapur, P.S.-Raniganj, district-Araria.

.... Opposite Parties

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Appearance:

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Md.Nazir Ansari (App)

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

ORAL ORDER

2 27-06-2016 Heard learned counsels for the petitioner and the

State.

Petitioner being the husband of the informant is
apprehending arrest in a case registered for the offences
punishable under Sections 323, 406 and 498A/34 of the Indian
Penal Code and Section 34 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the
petitioner that the petitioner admits his marriage with the
informant and is ready to keep the informant with full dignity and
honour. A statement to that effect has been made in Para-13 of
the petition, which reads as follows:

“That it is relevant to mention here that the petitioner is ready to keep the informant with full love and honour.”

Learned counsel for the informant submits that the petitioner was already married and he concealed this fact and performed marriage with the informant. The informant is ready to accept the offer of the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event 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 Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 26 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 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)

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