

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36394 of 2016

Arising Out of PS.Case No. -2318 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Md. Abid Son of Md. Islam Mian resident of Mohalla- Agarpur, Ward No-
3, P.- Lalganj, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Rehana Khatoon Daughter of Muslim resident of Gram- Chak
Bishunpur, P.S.- Vaishali, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma, Advocate.

For the Opposite Party/s : Mr. Sri Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 26-09-2016

None appears on behalf of the complainant.

Petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance was taken for the offences punishable under Section 498A of the I.P.C.

Accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in Para 6 of the petition which reads as follows:-

“6. That, the petitioner is the husband of the

complainant and ready to keep his wife with full honour and dignity.”

Considering the aforesaid 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 learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Complaint Case No. 2318 of 2015 subject to the conditions as laid down under Section 438(2) of the Cr.P.C

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 six months (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Prakash/-

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