

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18439 of 2016

Arising Out of PS.Case No. -357 Year- 1997 Thana -COMPLAINT CASE District- ARRARIA

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Md. Azimuddin, Son of Late Md Yasin Resident of Village- Hasanpur, P.S.
Araria District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Nishat Begam W/o Md Azimuddin D/o Kalimuddin, Resident of
Village- Kakorha P.S. Mahalgown District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Advocate

For the Opposite Party/s : Mr. Anil Kr.Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2017 Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant
has renewed the prayer for anticipatory bail 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 3/4 of the Dowry Prohibition
Act.

Basic accusation is of torture for non-fulfillment of



dowry demand.

Though, initially cognizance order was passed in 1997, but the same was challenged in 2003 in a Criminal Revision, when the order of issuance of process was stayed and finally the process was directed to be issued in 2009 on disposal of criminal revision. Earlier bail application of the petitioner was disposed of since initial order of cognizance was passed in 1997 but since the petitioner was ready to keep the complainant as wife with dignity and honour the learned Court below was directed to consider the prayer for regular bail.

It is submitted by learned counsel for the petitioner that the issue has been reconciled and the petitioner is still ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph no.7 of the petition, which reads as under :-

"That the petitioner is husband of the complainant and wanted to keep her with full dignity and honour....."

In view of the above circumstances in which earlier anticipatory bail application was disposed of, this Court is not inclined to revise the earlier order, but keeping in view of the present stand of the petitioner and the nature of accusation, this



Court finds no reason for the learned Court below not to consider the prayer for bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.357C of 1997, pending before the learned SDJM, Araria.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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