

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20126 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -HARLAKHI District- MADHUBANI

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Md. Shahid @ Shahid, Son of Md. Akhtar, Resident of Village- Raja Tola,
P.S.- Harlakhi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Jakariya, Son of Abdul Majid, resident of Village Beta Parsa, P.S.-
Harlakhi, District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 19-08-2017

Heard learned counsels for the petitioner,
informant-opposite party no. 2 and the State.

The petitioner, being the husband of the daughter of the informant, is apprehending his arrest in a complaint case, wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 379, 498A, 504/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case is that the marriage of the petitioner and the daughter of the informant was performed six months prior to the lodging of the FIR, but subsequently, torture was inflicted for non-fulfillment of further dowry demand. The



daughter of the informant was assaulted and her belongings were snatched.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the daughter of the informant, having no issue. The petitioner is ready to keep the daughter of the informant as wife with full dignity and honour. However, statement to that effect has not been made in the petition.

Counsel for the informant submits that the daughter of the informant is ready to accept the offer of the petitioner.

It is further submitted that both sides agree to appear before the learned Court below on 11th of September, 2017 when the petitioner will take the daughter of the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Benipatti, Madhubani in connection



with Harlakhi P.S. Case No. 169 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony or (ii) if the daughter of the informant gets reluctant to reconcile the issue or (iii) if the daughter of the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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