

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40292 of 2016**

Arising Out of PS.Case No. -53 Year- 2016 Thana -SIKTI District- ARRARIA

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Md. Razabul @ Md. Razebul S/o Dukha Resident of Village- Dahgama PS  
Sikty District Araria.

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Bibi Samina W/o Md. Razebul , D/o Atikur Rahman Resident of Village  
kachana PS Sikty, District Araria.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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

8      02-05-2017                      Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A/34 of the I.P.C and ¾ of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and performing second marriage.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in Para 15 of the petition which reads as follows:-

“15. That, the petitioner is yet ready to keep the informant with full love and dignity but any demands



of dowry as alleged in the F.I.R.”

It is submitted by learned counsel for the informant that the informant is ready to accept the offer of the petitioner to resume the conjugal life but the apprehension of the informant is that the petitioner resides in Punjab.

However, counsel for the petitioner submits that the petitioner undertakes to keep the informant with full dignity and honour.

In the circumstances, the informant is not opposing the prayer for bail of the petitioner.

In the facts and circumstances, both the parties agree to appear before the Court below on 06.05.2017.

Considering the aforesaid stand of the parties, 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 four months** on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate III, Araria in connection with Sikty P.S. Case No. 53 of 2016 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 four months (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)**

Prakash/-

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