

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7469 of 2017

Arising out of PS.Case No. -1733 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-SAHARSA

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Md. Akbar Sah @ Akbar Son of Md. Aashin Sah Resident of Village-Pama Fudki Chak, Police Station-Basnahi, District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shahida Khatoon Wife of Md. Akbar Sah, daughter of Ganimat Sah, Resident of Village-Baraith, Police Station-Basnahi, District-Saharsa.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Md. Harun Quareshi

For the Opposite Party/s : Smt Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-05-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No. 1733C of 2014, registered under sections 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Case is under Section 498A IPC and the petitioner is husband. Earlier in this case, notice has been issued to the Opposite Party No. 2 and she has appeared through learned counsel Mr. Madhav Jha.

It has been submitted on behalf of the petitioner that he is husband and still ready to keep the Opposite Party No. 2 with dignity and care.

Learned counsel for the Opposite Party No. 2 has also submitted that she is also ready to live with dignity and care.



Having heard both sides and in view of the facts stated above, I am not inclined to grant anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below on **18th of May, 2017** and on that the Opposite Party No. 2 shall also be present in Court and after the petitioner files an undertaking to keep the Opposite Party No. 2 along with him with dignity and care, the learned court below shall release the petitioner, namely, Md. Akbar Sah @ Akbar on provisional bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saharsa in connection with Complaint Case No. 1733C of 2014 for a period of six months and further the Court below will call for both the parties in the Court once in a month on the date fixed to watch their conduct and once the Court after being satisfied with the conduct of the parties and their matrimonial relationship, after six months the bail bond of the petitioner shall be confirmed otherwise the Court may pass any order(s) as he may deem fit and proper.

With the aforesaid observation, this application is disposed of accordingly.

(Vinod Kumar Sinha, J)

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