

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28544 of 2017**

Arising Out of PS.Case No. -5 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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Ehtesam @ Md. Ehteshamul Haque, son of Nayeemuddin, Resident of  
village – Hayatpur, P.S. Araria R.S., District Araria

.... .... Petitioner/s

Versus

The State of Bihar & Anr

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

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**Appearance :**

For the Petitioner/s : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      10-07-2017                      Heard learned counsel for the petitioner  
  
and the learned A.P.P. for the State.

Petitioner seeks bail in connection with  
Complaint Case No. 05 C of 2014 registered for the  
offence punishable under Section 498A of the Indian Penal  
Code.

The prosecution case is that the complainant is  
the wife of the petitioner and married in the year 2008, but  
has all along been subjected to torture by the petitioner and  
his family members on account of non-fulfilment of  
demand of dowry.

It has been submitted by the learned counsel  
for the petitioner that he is innocent, has been falsely



implicated in the aforesaid case and is ready to keep his wife with full dignity and honour, but his wife does not want to stay in her matrimonial house and left her matrimonial house out of her own sweet will due to minor family dispute.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances, let the petitioner above named be released on provisional bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Araria in connection with Complaint Case No. 05 C of 2014.

Let the learned Court below issue notice to the complainant and on her appearance, petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned Court below in three eventualities:



- (i) If the matrimonial harmony is substantially restored or
- (ii) if the complainant fails to appear before the learned Court below or
- (iii) if the complainant deliberately gets reluctant to reconcile the issue.

**(Nilu Agrawal, J.)**

Arjun/-

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