

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36679 of 2018

Arising Out of PS. Case No.-310 Year-2017 Thana- COMPLAINT CASE District- Araria

Md. Zumrati S/o Late Bahrudin, R/o Vill.- Raniganj, Back of Ply Mill
Bagaicha, P.S.- Raniganj, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sitara Khatoon W/o Zumarati D/o Kafil, R/o Vill.- Miyan Hate, Darzee Tola,
Bhag Kohliya Ward No. 11, P.S.- Forbesganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anamul Haque
For the Opposite Party/s : Mr. Binod Kumar 3

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 20-09-2018

Heard learned counsels for the parties.

The petitioner being the husband of the complainant, is apprehending arrest in a complaint case filed with accusation under Sections 498A,323,379,380,354 and 120B/34 of the IPC.

The prosecution case as per the complainant is that the complainant claims to have married the petitioner in the year 2009, but subsequently torture was inflicted upon her for non-fulfillment of further dowry demand of Rupees Fifty Thousand, motorcycle and a cow.

The petitioner and the complainant O.P. No. 2 are present. It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant. The petitioner is ready to keep the complainant with dignity and



honour. Statement to that effect has been made in paragraph 10 of the petition which reads as follows:-

“That the petitioner is ready to keep his wife with full honour and dignity.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer. Moreover, both sides agree to appear before the learned Court below on 31st October, 2018, when the petitioner will take the complainant to her matrimonial house and keep her with full dignity and honour.

Considering the present stand of the parties, in order to save the complainant from destitution and vagrancy with a lurking hope that the issue may reconcile in future, let the petitioner above named be released on provisional anticipatory bail for four months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria in connection with Complaint Case No. 310 of 2017 subject to the conditions laid down in 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) 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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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