

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61771 of 2018

Arising Out of PS. Case No.-197 Year-2015 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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Md. Imteyaj, Son of Late Md. Nafishuddin, Resident of Mohalla- Millat
Nagar, Mahtopara Road, P.S. Jagsalai, District- Jamshedpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Asharfi Praveen, Wife of Md. Imteyaj, D/o Md. Wakil, Resident of Mohalla-
Baridargah, P.S. Bihar Sharif, District- Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Section 498A of the IPC.

The prosecution case, as per the complaint petition,
filed by Asharfi Praveen is to the effect that the complainant was
married with the petitioner on 17.05.2009. Subsequently, further
dowry demand of Rs. 1 lac and a Hero Honda motorcycle was
made by the petitioner and in-law family members, but for non-
fulfillment of the same, the torture was inflicted to the



complainant and life threat was also given to her.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of two children. The petitioner is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph no.10 of the petition which reads as follows:-

“10. That the petitioner is ready to keep his wife with full honour and dignity. Petitioner is also ready to abide by the terms & conditions which shall be imposed by the Hon'ble Court.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest/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 like amount each to the satisfaction of learned **CJM, Nalanda at Bihar Sharif** in connection with **Complaint Case No. 197C of 2015**, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Let the learned Court below issue notice to the complainant and on her appearance, the petitioner agrees to take her to the matrimonial house.

The provisional bail of the petitioner will be



confirmed by the learned Court below within a period of four months in three eventualities, (i) if the matrimonial harmony is substantially restored, or (ii) if the complainant fails to appear, or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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