

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5317 of 2019

Arising Out of PS. Case No.-1593 Year-2018 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Akamal Raza (M), Age-28 years, S/o- Kari Mahabub Alam, Resident of
Village- Singhiya Thathol, P.S.- Dagarua, Dist.- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rukhsar Khatoon, Wife of Akmal Raza, D/O- Johur Alam, R/V- Singhiya -
Thathol, P.S.- Dagarua, Dist. Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick
For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-01-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

The petitioner 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 498(A) of
the Indian Penal Code.

The prosecution case as per the complaint petition filed by
the complainant Rukhsar Khatoon is that the complainant was
married with the petitioner eight years before the lodging of the
present complaint case. Subsequently, they were blessed with
two female children, and thereafter, further dowry demand of
Rs.2,00,000/- was made from her and due to non-fulfillment of



the same, torture was inflicted upon her, and ultimately on 25.8.2017, she was driven out of the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of two female children and is ready to keep her as wife with full dignity and honour, statement to that effect has been made in paragraph no.9 of the petition which reads as follows:-

“9.That the petitioner is ready to keep her wife with dignity and honour.”

Though a petition was also filed by the petitioner before the learned Court below that he is ready to resolve the issue.

Considering the present stand of the petitioner that he is ready to keep the complainant as wife with full dignity and honour and is ready to reconcile the issue, let the above named petitioner be released on provisional anticipatory bail for a period of six months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **CJM, Purnea** in connection with **Complaint Case No.1593 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



Let the learned Court below issue notice to complainant-opposite party no.2 and on her appearance, the petitioner agrees to take her to the matrimonial house.

The provisional bail of the petitioner will be confirmed by 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)

Deepak/Rahul/-

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