

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77 of 2019

Arising Out of PS. Case No.-663 Year-2016 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Md. Nasib Ahmad @ Md. Naseeb Ahmad Son of Haleem Shah, Resident of
Village - Chak Jamal, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nazma Khatoon, wife of Md. Nasib Ahmad @ Md. Naseeb Ahmad, D/o Md. Jahir Alam, Resident of Chatiya, P.O.- Malahi, P.S.- Govindganj, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand
For the Opposite Party/s : Mr.Sri Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 25-03-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. C-663/2016, disclosing offences

under Section 498A of the Indian Penal Code and Section 3/4

of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against him is of subjecting the complainant to
cruelty in connection with demand of dowry.

Submission of learned counsel for the petitioner is
that all the allegations are false and concocted and he is still
ready to keep the informant with full honour and dignity, which
will appear from the fact that petitioner has filed the case for
restitution of conjugal rights being Matrimonial Case No.



294/2014, whereas, it is the complainant, who is not ready to live with the petitioner and earlier, she has filed the divorce petition, which was dismissed for lack of pairvi.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has submitted that the complainant is also ready to live with the petitioner, if she is kept with full honour and dignity as a wife.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner and the complainant to appear before the concerned court below on 08.04.2019 and if the petitioner files a petition that he is ready to keep the complainant with himself with full honour and dignity and if he is willing to take the complainant with himself from the court itself, the court below shall release the petitioner on provisional bail for a period of six months to his own satisfaction and in the meantime, the court below will watch the conduct of the parties by calling the complainant and petitioner in the first week of each month for a period of six months and after six months, if the court below is satisfied with the conduct of the petitioner, he will confirm the provisional bail of the petitioner otherwise, he will cancel the provisional bail granted to the petitioner.



With the above observation, this application is
disposed of.

(Vinod Kumar Sinha, J)

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