

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2845 of 2019**

Arising Out of PS. Case No.-244 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

=====

Md. Iftekhar @ Istekhar Khan @ Md. Iftekhar Khan

... .. Petitioner/s

Versus

State Of Bihar and Anr

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	.Md. Najmul Hodda, Advocae
For the State	:	Mr. Ajay Kumar, A.P.P.
For the Opposite Party/s	:	Md. Iftekhar Khan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-03-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Complaint Case No. 244 of 2017, registered for offences punishable under Sections 323, 341 and 498 (A) of the Indian Penal Code and Section 4 of D.P.Act.

Allegation as per F.I.R. against the petitioner, who happens to be the husband of the complainant, is of subjecting her to cruelty due to non fulfillment of demand of dowry and later on, the petitioner ousted his wife from his house.

Submission of the learned counsel for the petitioner is that the petitioner is still ready to keep her with full dignity and the petitioner has no criminal antecedent although, earlier the complainant/Opposite party No. 2 lodged a Complaint Case



No. 2379 of 2009 under Section 498(A) of the Indian Penal Code but the same was withdrawn on the basis of compromise.

Learned A.P.P. as well as learned counsel for the Opposite party No.2 opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the petitioner, above named surrender on 01.04.2019 and filed a petition that he is ready to keep his wife with full dignity and care and on that date, the Opposite Party shall also remain present and if the petitioner is ready to keep her with him and the complainant/opposite party has no objection, the petitioner shall be granted provisional bail in connection with Complaint Case No. 244 of 2017 for a period of six months and during this period, both the parties shall be watched by the learned Court below by calling them in the first week of second month and if the learned court below will satisfy the conduct of both the parties, the bail bond of the petitioner shall be confirmed.

With the above observation, this application is disposed of.

sudha/-

U		T	
---	--	---	--

(Vinod Kumar Sinha, J)

