

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4831 of 2019

Arising Out of PS. Case No.-2003 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

MD. SAIEM aged about 29 years, Male, son of Gulam Rasul Resident of
Village and P.O.- Vishanpur Yusuf, P.S.- Sarai Ranjan, District - Samastipur
... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Julekha Khatoon, aged about 25 years, Female, wife of Md. Saiem, Daughter of Md. Safijul Resident of village and P.O.-Vishanpur Yusuf, P.S.- Sarai Ranjan, District- Samastipur at present residing at Village- Madhoul, P.S.- Mahua, District - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-01-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.2003 of 2017 registered under Sections 498(A) and 34 of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

The complainant made allegation of demand of dowry and torture against the petitioner who is the husband of the complainant.

The learned counsel for the petitioner submits that complainant was married with the petitioner in the year 2013. The petitioner is always ready to keep his wife. The petitioner has annexed the entire order sheet. From perusal of order dated 17.09.2018, it would appear that on 17.09.2018 the petitioner was ready to keep his wife and on that ground, the provisional



bail of the petitioner was extended and the date was fixed on 11.10.2018 but on 11.10.2018, no step was taken for reconciliation and prayer for anticipatory bail of the petitioner was rejected. Petitioner is still ready to keep his wife.

Learned counsel for the State vehemently opposed the prayer for anticipatory bail.

Taking into consideration the facts that the petitioner was granted provisional bail on the assertions of the petitioner that he is ready to keep his wife but the wife did not agree to live with the petitioner and consequently his petition for anticipatory bail was dismissed and the fact that the petitioner is still ready to keep his wife, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No.2003 of 2017(Trial No.3029 of 2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

