

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2217 of 2019

Arising Out of PS. Case No.-627 Year-2017 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Rahul Ameen @ Md. Ruhul Amin, Son of Md. Nishamul, Resident of
Village- Bela Prasadi, Police Station- Rupauli, District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanjida Khatoon, Daughter of Meer Mukhtar, Wife of Rahul Ameen @ Md. Rahul Amin, Resident of village- Badi Bournia, Police Station- Gogri, District- Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md. Hussain

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-01-2019 Heard learned counsels for the petitioner and 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 Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the complaint petition, is to the effect that marriage between the complainant and the petitioner was performed on 23.03.2014, and subsequently, further dowry demand of Rs. 10 lacs was made and due to non-fulfillment of the same, torture was inflicted upon the complainant.



Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the her 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:-

“That the petitioner is husband of the complainant has ready to keep with full dignity and honour”

Considering that present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or 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 the like amount each to the satisfaction of learned SDJM, Khagaria in connection with Complaint Case No. 627C of 2017, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Let the learned Court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

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)

Amrendra/-

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