

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8295 of 2019**

Arising Out of PS. Case No.-806 Year-2016 Thana- COMPLAINT CASE District-  
Kishanganj

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INAMUL HAQUE Son of- Md Usman @ Md Usman Ali Resident of village-  
Chandwar Kolha, P.S.- Angarh, District- Purnea

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Jubeda Khatoon Wife of- Inamul Haque, D/O-Abdul Kayum At present  
residing at village-Naya Tola Gachh Para, P.S. + District- Kishanganj

... .. Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate  
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

5      03-12-2019                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel representing the O. P. No. 2.

The petitioner who is the husband of O. P. No. 2 in  
this case is seeking anticipatory bail in connection with  
Complaint Case No. 806 of 2016 in which cognizance has been  
taken under Sections 498(A) and 354 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is ready to keep the O. P. No. 2 as his wife with full  
respect and dignity. Learned counsel for the petitioner submits  
that it is the O. P. No. 2 who is refusing his company. It is  
further submitted that petitioner is ready to visit the maike of the  
O. P. No. 2 to bring her to her matrimonial home.

Learned counsel representing O. P. No. 2 submits that



O. P. No. 2 will definitely accompany the petitioner if he visits the place of the O. P. No. 2 to bring her to her matrimonial home.

Considering the facts and circumstances of the case wherein now the opposite party no. 2 is willing to live with this petitioner and her lawyer has submitted before this Court that if this petitioner visits the place of O. P. No. 2 within two weeks from today, she will definitely accompany him to the matrimonial home and will live with the petitioner with full dignity and learned counsel for the petitioner has submitted before this Court that he has instruction to say that the petitioner is willing to visit the place of the opposite party no. 2 within two weeks from today and will bring her back to the matrimonial home where she will live as a lawful wife of the petitioner, let the petitioner above named in case of his arrest or surrender within a period of four weeks from today in connection with Complaint Case No. 806 of 2016 be released on bail on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when



required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that in terms of his own undertaking if the petitioner fails to visit the place of opposite party no. 2 within the aforesaid period to bring her back to the matrimonial home, it will be open for the opposite party no. 2 to file an appropriate application in the court below for cancellation of bail bond of the petitioner.

The application stands disposed of accordingly.

**(Rajeev Ranjan Prasad, J)**

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