

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15026 of 2019**

Arising Out of PS. Case No.-814 Year-2018 Thana- ARARIA District- Araria

Salik Hasan, S/o Mastar Md. Hasan, Resident of Village- Azad Nagar, Ward No. 20, P.S. and District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raunak Jahan, D/o Abdul Halim Resident of Village- Satbira, Ward No. 12, P.S. and District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

3 11-04-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

The petitioner, being the husband of the informant, is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 498(A) and 379/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The prosecution case as per the written report of Raunak Jahan submitted to SHO, Araria Police Station is to the effect that the marriage of the informant was performed with the petitioner on 15.09.2015, but subsequent to the marriage, further dowry demand of a car and Rupees Three Lakh was made and due to non-fulfillment of the same, torture was inflicted upon



the informant by the petitioner and other in-law family members. It is further alleged that on 19.11.2018, all the in-law family members brutally assaulted her, but somehow she managed to escape and went to her cousin's house, from there she was taken to the hospital.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep her as wife with full dignity and honour. A statement to that effect has been made in paragraph 12 of the petition, which reads as follows:-

“12.That it is stated that the informant is a legally wedded wife of the petitioner and he ready to keep her with his wife with full dignity.”

It is further submitted that the informant is mentally abraised and the petitioner was getting her treated in PARAS hospital, Patna, but due to the non-cooperation of the informant the treatment has been stopped now.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for a period of six months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the



satisfaction of the learned **CJM, Araria** in connection with **Araria P.S. Case No.814 of 2018** , subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned Court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant 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 informant fails to appear before the learned Court below, or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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