

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20156 of 2019

Arising Out of PS. Case No.-728 Year-2017 Thana- COMPLAINT CASE District-
Kishanganj

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Fazlur Rahman Son of Late Samsuddin Resident of Village - Lakhankura
(Saraikuri), P.S.- Powakhali, Distt - Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Firdoshi Khatoon Wife of Fazlur Rahman Resident of Village - Lakhankura
(Saraikuri), P.S.- Powakhali, Distt - Kishanganj. at present D/o Late Yunus,
Resident of Village - Biruwa, P.S.- Kochadhaman, Distt - Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 16-11-2019 Heard learned counsels for the petitioner,

complainant 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 offence punishable under Sections 498A of the IPC.

The prosecution case is that the marriage of the complainant was performed with the petitioner 15 years prior to the filing the present complaint, subsequently, they were blessed with three female children, but thereafter, further demand of dowry of Rs. 2 lacs was made and due to non-fulfillment of the same, the complainant was tortured by the petitioner and other



in-laws family members.

It appears that this Court, vide order dated 25.07.2019, referred the matter to the Mediation and Conciliation Centre of the Patna High Court Legal Services Committee. The report of the Mediator dated 27.09.2019, kept at flag- 'M', suggests that the mediation failed since the complainant failed to appear before the mediation centre.

Learned counsel for the petitioner submits that the petitioner admits his marriage with complainant and he is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 12 of the petition, which reads as follows:-

“That it is submitted that the petitioner is still ready to keep his wife with full dignity and love.”

Learned counsel for the complainant submits that she is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned Court below on 26th of November, 2019, when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, the provisional bail granted to the petitioner, vide order dated 02.04.2019 stands extended by six months from today.



The provisional bail of the petitioner will be confirmed by the 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 deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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