

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75000 of 2018

Arising Out of PS. Case No.-341 Year-2016 Thana- COMPLAINT CASE District- Supaul

Nunu Safi, Son of Mohram Safi, Resident of Village-Bhimpur near Railway
Dhala, P.S. Bhimpur, Distt.-Supaul

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Sajuran Khatoon, D/o of Md. Yunus Safi, Resident of Village-Sitapur,
P.S.Birpur,Distt.-Supaul

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Nagendra Upadhyay
For the Respondent/s : Mr. Asharaf Ansari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner, being the husband of the complainant is apprehending arrest in a case, wherein process has been directed to be issued after cognizance being taken for the offence punishable under Section 498A of the Indian Penal Code.

The prosecution case as per the complaint petition is that the marriage between the complainant and the petitioner was performed on 06.08.2012, thereafter, she was blessed with two daughters and one son, but subsequently, torture was inflicted upon her for non-fulfillment of dowry demand of Rs. 60,000/-. An effort was made to reconcile the matter, but the in-



laws' family members continued torturing the informant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant. The petitioner is still ready to keep the complainant as wife with full dignity and honour, a statement to that effect has been made in para 14 of the petition which reads as follows:-

“14. That the petitioner is husband and he is ready to keep her with full respect and dignity to the complainant.”

It is further submitted by learned counsel for the petitioner that earlier also the similar was the stand of the petitioner before the learned court below which gets reflected from the impugned order.

Learned APP submits that the thrust of accusation was against the petitioner.

Considering the 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 **J.M. Birpur, Supaul** in connection with **Complaint Case No. 341C of 2016** 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)

Deepak/Rahul/-

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