

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28458 of 2019**

Arising Out of PS. Case No.-64 Year-2018 Thana- MAHILA PS District- Darbhanga

SHAGIR AHMAD @ SAGIR AHMAD Son of Late Nurul Hoda Resident of
Village - Bari Nagar, Talco, P.S- Telco, District- Purbi Singhbhum
(Jamshedpur, Jharkhand)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Safia Nazam D/O- Md. Jafar Siddiqui Resident of Mohalla- Faizulla Khan,
P.S.- Laheriya Sarai, District- Darbhanga

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-05-2019 Learned counsel for the informant appeared by filing
vakalatnama on behalf of the informant.

Heard both sides.

The petitioner apprehends his arrest in Laheriya Sarai
Mahila P.S. Case No.64 of 2018 registered under Sections
498A, 504, 506, 379/34 of the Indian Penal Code and Section 3/4
of Dowry Prohibition Act.

The informant made allegation of demand of dowry
and torture against her husband(the petitioner) and others within
one year of her marriage. The informant alleged that petitioner
subjected her all sorts of torture.

Mr. Umesh Chandra Verma, learned counsel for the



petitioner submits that petitioner is ready to keep his wife with all honour and dignity.

Learned counsel for the informant submits that wife is also willing to live with her husband provided her husband behaves properly with her and allows her to live in her in-laws house with all honour and dignity. It is submitted that wife also appeared before the court below and narrated her story but still she is willing to live with her husband.

Taking into consideration the facts that the husband and wife are ready and willing to restore their conjugal relations, let the petitioner, above named, is directed to appear in the court below within a period of four weeks from the date of receipt of the order and on such, learned court below shall enlarge the petitioner on **provisional bail for four months** on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Darbhanga in connection with Laheriya Sarai Mahila P.S. Case No.64 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The husband and the wife are directed to appear in the court on the date of grant of bail to the petitioner and on such,



learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioner keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife with all honour and dignity, learned court below shall pass order on provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

Saurabh/-

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