

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47728 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

MD. ARSHAD Son of Sheikh Anisurrahman Resident of Village - Bairiya
Tola Sagardina, P.S.- Shikarganj (Chiraiya), District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aatiyana Khatoon Wife of Md. Arshad D/o Sk. Azeem, Resident of - Bairiya
Tola Sagardina, P.S.- Shikarganj (Chiraiya), District - East Champaran,
presently r/o Sulsabad, P.S.- Mehshi, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, being a husband, is apprehending his
arrest in connection with Tr. No. 1004 of 2019 arising out of
Complaint Case No. 24 of 2019 for the offence registered under
Sections 323, 498(A), 379, 406 504 and 34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is willing and ready to keep the opposite party no. 2
with a full honour and dignity and there shall be no recurrence
of any such act which would prejudice her in any manner.

Learned counsel for the opposite party no. 2 submits
that the opposite party no. 2 is also willing and ready to live



with her husband and restored normal family life in the event of the petitioner treats her with dignity and takes care of her as a good husband.

Considering the aforesaid facts and circumstances of the case and the willingness of the opposite party no. 2 to live with the petitioner who has ensured her safety and security and also will not hamper her mental peace, let the petitioner, above named, in the event of his arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, East Champaran, Motihari in connection with Tr. No. 1004 of 2019 arising out of Complaint Case No. 24 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, it is made clear that the petitioner would go to the village home of the opposite party no 2 within a fortnight and, thereafter, collect her and restore normal family relation between themselves. It shall be open to the opposite party no. 2 to seek recourse to any appropriate remedy in the event of the petitioner failing to honour his own undertaking made before



this Court.

(Anjana Mishra, J)

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