

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58358 of 2019

Arising Out of PS. Case No.-492 Year-2018 Thana- BARACHATTI District- Gaya

Md. Taukir Alam @ Pappu Son of Md. Rafique Alam @ Rafik Miya Resident of Village - Nadarpur, P.S.- Barachatti, Dist.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Atika Naz Wife of Md. Taukir Alam @ Pappu Resident of Village - Nadarpur, Mohalla- Naokadih, P.S.- Barachatti, Dist.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 11-12-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 492 of 2018, registered for offence punishable under Sections 498(A)/323/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

There is marriage dispute between the parties.

In pursuance of the order dated 20.11.2019, the petitioner, Md. Taukir Alam @ Pappu and the informant/O.P. No.2, Atika Naz are present before this Court. Both the parties have informed that they have settled their dispute amicably.

Upon query, the petitioner, Md. Taukir Alam @ Pappu



has stated that he is ready to keep his wife i.e. informant/O.P. No.2 with all care, honour and dignity and is ready to take her to his home from this Court itself. In response the informant/O.P. No.2 Atika Naz submits that she is ready to live and ready to go with the petitioner from this Court subject to the condition that the petitioner will keep her properly and will not torture her anymore. The petitioner assures that he will not mistreat the informant.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties have agreed to live as husband and wife, accordingly, petitioner is directed to take the informant/O.P. No.2 from this Court itself to his home in order to keep her as his wife and give all respect, honour and dignity and on the aforesaid condition, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Barachatti P.S. Case No. 492



of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the local Chaukidar shall visit the house of the petitioner once in a fortnight and will enquire about the condition of the informant and shall submit a report to the local police station and the S.S.P., Gaya in turn is directed to forward the said report through his office to the court of learned Additional Chief Judicial Magistrate, Sherghati, Gaya every month for a total period of six months.

(Anil Kumar Sinha, J)

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