

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71770 of 2019

Arising Out of PS. Case No.-2602 Year-2018 Thana- COMPLAINT CASE District- Araria

Abul Hassan @ Abseh @ Abuseh, S/o Nuruddin Resident of Village-
Mohania, P.S.- Palasi, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Nasrin Bano D/O Md. Sharif @ Sarif, W/O Abul Hasan Resident of Village-
Mohania, P.S.- Palasi, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the complainant ,
is apprehending his arrest in a complaint case, wherein process
has been directed to be issued after cognizance being taken for
the offences punishable under Section 498A of the Indian Penal
Code and Section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment
of dowry demand.

It is submitted by learned counsel for the petitioner
that the petitioner admits his marriage with the complainant and



is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

“That the petitioner is the husband of the complainant and is always ready to keep her with full honour, dignity, love, affections and all desires.”

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 Sub-divisional Judicial Magistrate, Araria in connection with Complaint Case No. 2602C of 2018, subject to the conditions as laid down under Section 438(2) of the 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 her matrimonial house to keep her as wife with full dignity and honour.

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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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