

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71044 of 2019

Arising Out of PS. Case No.-702 Year-2006 Thana- COMPLAINT CASE District- Araria

MD. ABDUL HASAN @ MD. ABDUL HASAN @ MD. ABUL HUSAIN @
MD. LADDAN Son of Md. Fakhruddin Resident of Village - Karanpura, P.S.-
Taldhar, District - Shahebganj (Jharkhand)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shayara Bano Wife of Md. Abul Hasan @ Md. Abdul Hasan @ Md. Abul Husain @ Md. Laddan D/O Badrul Hasan, Resident of Village - Islamnagar, Ward No.- 20, P.S. and District - Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-11-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 702C/2006, disclosing offences under Section 147, 148, 379, 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant and allegation against him is of subjecting the complainant to cruelty in connection with demand of dowry.

Submission of learned counsel for the petitioner is that all the allegations are false and concocted and he is still ready to keep the informant with full honour and dignity.

Heard learned A.P.P.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with



direction to the petitioner to surrender before the concerned court below within a period of three weeks' from the date of receipt of a copy of this order and, thereafter, the court below shall release the petitioner on provisional bail and call upon the complainant and if she is ready to reside with the petitioner, the court below shall extent the provisional bail of the petitioner for further period of six months and in the meantime, the court below will watch the conduct of the parties by calling the complainant and petitioner in the fourth week of each month for a period of six months and after six months, if the court below is satisfied with the conduct of the parties specially the conduct of the petitioner, he will confirm the provisional bail of the petitioner otherwise, he is free to pass any order/orders as he deems fit and proper including cancellation of provisional bail of the petitioner.

It is made clear that if the complainant on notice does not appear or after appearance, she is not ready to reside with the petitioner without any cogent reasons, in that situation also, the provisional bail of the petitioner shall be confirmed.

(Vinod Kumar Sinha, J)

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