

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75957 of 2019

Arising Out of PS. Case No.-2791 Year-2018 Thana- COMPLAINT CASE District- Araria

Md. Jahangir, Son of Asauddin, Resident of Village - Sikatia ward No. 04,
South Tola, P.S.- Jokihat, Distt - Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Husan Ara, D/o Azim, Wife of Md. Jahangir, Resident of Village - Duba ward no. 06, P.S.- Jokihat, Distt - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party no.1: Mrs.Renu Kumari, APP

For the Opposite Party no.2: Mr. Md. Naushaduzzoha, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel representing the

opposite party no.2.

The petitioner in this case is seeking anticipatory bail

in connection with Complaint Case No.2791 of 2018 registered

for the offences punishable under Section 498A of the Indian

Penal Code and Section 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the

petitioner is the husband of the complainant. Learned counsel

submits that the petitioner is innocent and has committed no

offence and has falsely been implicated in this case due to ill

motive of the complainant.



Learned APP for the State as well as learned counsel representing the opposite party no.2 have opposed the prayer for bail.

Considering the facts and circumstances of the case wherein the petitioner as well as the opposite party no.2 are willing to resolve their disputes amicably and for amicable resolution of disputes the petitioner is ready and willing to bring back the opposite party no.2 to his matrimonial home within two weeks from today and for that purpose he would visit the house of opposite party no.2 within the aforesaid period as also that he would live with the opposite party no.2 with full dignity and care and shall give her due status of being a lawful wife, let the petitioner in the event of his arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen 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.2791 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

and further condition in terms of his own undertaking that he will visit the house of opposite party no.2 within two weeks from today and shall bring her back to the matrimonial home where she will be allowed to live as lawfully wedded wife with full dignity and care. In case the petitioner commits any breach of his own undertaking, it will be open for the opposite party no.2 to file an appropriate application in the court below itself for cancellation of his bail bond.

(Rajeev Ranjan Prasad, J)

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