

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82904 of 2019

Arising Out of PS. Case No.-331 Year-2019 Thana- RANIGANJ District- Araria

Mahtab Alam @ Mahtab Son of Md. Nazir, Resident of Village-Rampur, P.S.-
Raniganj, District-Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anil Prasad Singh, Advocate
For the Opposite Party : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-12-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection
with Raniganj P.S. Case No 331 of 2019 for offences under
Sections 498A/34 of the Indian Penal Code and Sections 3/4
of the Dowry Prohibition Act.

The petitioner is the husband of the informant and the
marriage took place on 07.04.2014 according to Muslim rites
and customs. It is alleged that for demand of dowry, the
informant was ill-treated and subjected to cruelty.

Learned counsel for the petitioner submits that the
petitioner is ready to keep his wife with full honour and dignity
provided she is not treated with cruelty.

In order to restore conjugal right between the parties,



this Court is inclined to grant indulgence on the condition that the petitioner shall keep his wife with full honour and dignity.

Considering the aforesaid aspect of the matter, this Court is inclined to grant bail to the petitioner. Let the petitioner, above-named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria in connection with Raniganj P.S. Case No 331 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that in the event any type of torture and cruelty is meted out to the informant, liberty shall be available to the informant to approach the concerned court below for cancellation of bail bond of the petitioner and the court below shall consider the desirability of cancelling his bail bond.

(Anil Kumar Upadhyay, J)

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