

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1758 of 2020

Arising Out of PS. Case No.-82 Year-2019 Thana- MAHILA P.S. District- Araria

Md. Shahnawaz Alam Son of Late Md. Manzoor Alam Resident of Village -
Doriya Sonapur, Ward No 04, P.S.- Simraha, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Takalum Jahan Son of Late Md. Manzoor Alam Resident of Village - Doriya
Sonapur, Ward No.4, P.S.- Simraha, Distt.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner, being the husband of the informant, is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 341, 323, 504, 506/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case is that the informant, Takalum Jahan was married with the petitioner, Md. Shahnawaz Alam in 2011 and for one year after the marriage, the relationship was cordial but thereafter, further dowry demand of Rs.Three lakhs was made and for non-fulfillment of the same, torture was inflicted upon the informant. On 10.06.2019 the informant was



driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour, though, statement to that effect has not been made in the petition.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned Court below on 5th of March, 2020 when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Araria Mahila P.S. Case No. 82 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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 informant fails to appear before the learned Court below, or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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