

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15233 of 2019**

Arising Out of PS. Case No.-1637 Year-2015 Thana- GAYA COMPLAINT CASE District-
Gaya

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SHAH FAISAL AHMAD @ S. FAISAL AHMAD @ SAHFAISAL AHMAD
Son of Haji Imteyaz Ahmad Resident of Village - Gaus Nagar, Kamali, P.S.-
Chandil, District - Saraikela- Khersanwan (Jharkhand)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR AND ANR Bihar
2. Yasmin Praween Wife of Shah Faisal Ahmad, D/O- Muzaffaruddin Ahmad
Resident of Village - Gaus Nagar, Kamli, P.S.- chandil, District - Saraikela,
Jharkhand, Presently residing at Mohalla - DharmiTola, Bank Road, P.S.-
Kotwali, District - Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa
For the Opposite Party/s : Mr.Ajeet Kumar
for the Informant : Mr. Sanjeet Kumar Sinha.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

8 07-01-2020 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 1637 of 2015/Tr. No. 1931/2018,

disclosing offences under Sections 323, 504 and 498A 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 and as a matter of fact, the complainant herself does not want to live with the petitioner and they are pressurizing for remarriage.

Heard learned A.P.P. as well as learned counsel for the complainant. Learned counsel for the complainant has submitted that the allegation that complainant and others pressurizing for remarriage is false and concocted and complainant also wants to reside with the petitioner.

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to the petitioner and the complainant to appear before the concerned court below on 20.01.2020 and if the petitioner files a petition that he is ready to keep the complainant with himself with full honour and dignity and if he is willing to take the complainant with himself from the court itself, the court below shall release the petitioner on provisional bail for a period of six months to his own satisfaction and in the meantime, the court below will watch the conduct of the parties by calling the complainant and petitioner in the first 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 petitioner, he will confirm the provisional bail of the petitioner



otherwise, he will pass any order as he deems fit and proper including cancellation of provisional bail of the petitioner.

It is made clear that if the complainant is not ready to reside with the petitioner, in that situation, the provisional bail of the petitioner shall be confirmed.

With the above observation and direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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