

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47107 of 2019

Arising Out of PS. Case No.-1809 Year-2018 Thana- COMPLAINT CASE District- Araria

MD. SHAMSHAD S/o Md. Zubair R/o village- Takia Tola, Baiju Patti, Ward
No. 4, P.S.- Bhargama, District- Araria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Bibi Salatun Khatoon W/o Md. Shamshad, D/o Md. Iliyas R/o village-
Manullah Patti, Chap Tola, Ward No. 7, P.S.- Bhargama, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Md. Naushad Uzzoha, Advocate
For the Opposite Party/s	:	Mr.Dinesh Singh, APP
For the Informant	:	Mr. Dhananjay Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

8 12-06-2020 The petitioner seeks bail in anticipation of his

arrest in connection with Complaint Case No. 1809c/2018 in

which cognizance has been taken under Section 498A of the

Indian Penal Code and Section 4 of the Dowry Prohibition

Act, 1961.

The petitioner is the husband of Opposite Party No.

2.

On 30.07.2019, the petitioner was granted

provisional anticipatory bail.

Today Mr. Naushad Uzzoha, learned Advocate has

informed this Court that the petitioner is ready and willing to



bring back his wife / Opposite Party No. 2 to her matrimonial home and accord to her all the rights and privileges which a wife has in a household.

The learned counsel for the Opposite Party No. 2 does not have any objection.

In view of such a stand by the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 1809c/2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

If the petitioner does not perform his part of obligation and does not take overt steps for bringing back his wife to the matrimonial home, it would be open for the Opposite Party No. 2 to file an application for cancellation of his bail before the court below, which shall be considered by



the court below after noticing the petitioner.

The petition stands disposed off with the
observation, as above.

(Ashutosh Kumar, J)

skm/-

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