

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1054 of 2020

Arising Out of PS. Case No.-80 Year-2018 Thana- ALINAGAR District- Darbhanga

MAHBOOB ALAM S/o Md. Mojahid Resident of Village- Pohaddi, P.S.-
Ghanshyampur, District- Darbhanga.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jinat Khatoon W/o Kashim Hussain Resident of Village- Mohdinpur Pakri,
P.S.- Alinagar, District- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Sinha
For the Opposite Party/s : Mr.Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-02-2020 Heard learned counsels for the parties.

The petitioner being the husband of the daughter of the complainant namely Sagupta Parveen is apprehending arrest in a case registered for the offences punishable under Sections 498A, 313,341 and 504/34 of the IPC.

The prosecution case as per the complaint petition which came to be registered as police case after being transmitted under Section 156(3) of the Cr.P.C., is to the effect that the marriage of the daughter of the informant with the petitioner was performed on 14.5.2015 but subsequent to the marriage, further dowry demand of Rupees Fifty Thousand was made and due to non-fulfillment of the same, torture was inflicted upon the daughter of the informant leading to



termination of her pregnancy.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the daughter of the informant and is ready to keep her as wife with full dignity and honour. However, statement to that effect has not been made in the petition. Moreover, there is nothing on record to suggest that assault was made to the daughter of the informant leading to termination of pregnancy.

Considering the present stand of the petitioner, let the petitioner above named be released on provisional anticipatory bail for six months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Benipur, Darbhanga in connection with Alipur P.S. Case No. 80 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the daughter of the informant for her appearance. On her appearance, the petitioner will take the daughter of the informant to keep her as wife with full dignity and honour.

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

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

