

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86781 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

Afzal Firoz Son of Md. Firoz Resident of Village- Shahpur Badhauni
(Najpur), P.S.- Tajpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Nand Shukla
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner 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, 323, 504, 506, 341 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case as per the written report of Sana Praveen submitted to the Station House Officer of Muzaffarpur Mahila Police Station is to the effect that the informant was married with the petitioner on 25.04.2019 but subsequent to the marriage further dowry demand of a four wheeler vehicle, a gold chain and a gold watch was made and for non-fulfillment of the same, torture was inflicted upon the informant. It further is alleged that the petitioner also attempted to kill the informant.



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 at his place of employment at Patna, statement to that effect has been made in paragraph 13 of the petition, which reads as follows:-

“That it is respectfully submitted and stated that the petitioner is the husband of the informant and is willing to reside with her at Patna.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four 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 Additional Chief Judicial Magistrate-1st, Muzaffarpur in connection with Muzaffarpur Mahila P.S. Case No. 32 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned Court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to her matrimonial house 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 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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