

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36302 of 2020**

Arising Out of PS. Case No.-2543 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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SADDAM HODA KHAN @ S. H. KHAN @ RABBI Son of Late Samsul Hoda, Resident of Village - Motipur, P.S.- Rosra, District - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shaista Khanam @ Shabnam Begam Wife of Saddam Hoda @ Rabbi Daughter of Late Md. Afjal, Resident of Village - Motipur, Via Roshra Ghat, P.S.- Roshra, District - Samastipur Presently reside with samsad Begam (Sister) W/o Neyaz Khan, Resident of village sachi patti Bagmali, P.S.- Hazipur, P.O.- Hazipur, Town, District - Vaishali

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nachiketa Jha
For the Opposite Party/s : APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 08-04-2021 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Complaint Case No.2543 of 2018 for the offences allegedly committed by the petitioner under Section 498A of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

The complainant (wife of the petitioner) made allegation that the petitioner did not keep her properly and the petitioner assaulted her and drove her out from the house.

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife with all honour and dignity but his wife used to flee away from the house of the petitioner.



Considering the willingness of the petitioner to keep his wife with all honour and dignity, the above named petitioner is directed to surrender in the court below within six weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional anticipatory bail for six months on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Hazipur, Vaishali in connection with Complaint Case No.2543 of 2018 (Trial No.2698 of 2019), subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. Thereafter, the court below shall make efforts for resolution of the dispute between the husband and the wife. If the dispute is resolved amicably and the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved between the husband and the wife, the court below shall pass order in accordance with law on the provisional bail of the petitioner immediately after lapse of six months.

(Prabhat Kumar Jha, J)

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