

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8729 of 2020

Arising Out of PS. Case No.-576 Year-2019 Thana- COMPLAINT CASE District- Araria

Md. Israul @ Md. Israil S/o Md. Ishak R/o village- Kamaldaha, P.S. and District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samerun Khatoon W/o Md. Israul R/o village- Kamaldah, Ward No. 9, P.S. and District- Araria, At present D/o Salim, Resident of village- Chhoti Rampur Ward No. 9, P.S.- Raniganj, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh
For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 25-01-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a complaint case wherein cognizance has been taken for the offences punishable under Section 498(A) of the



Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the marriage of the petitioner with the complainant was solemnized in the year 2015 and the allegation against the petitioner is false and concocted. It is further submitted that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 15 of the petition.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial



Magistrate, Araria in connection with Complaint Case No. 576C of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the complainant wishes to reside with the petitioner, she will file a petition before learned Court below when it is expected from the learned Court below to issue notice to the petitioner for his appearance before learned court below. On appearance, the petitioner will be under an obligation comply the undertaking given before this Court and will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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