

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.4802 of 2009

1. MD. ARIF SON OF MD. SHARIF

2. ANWARI KHATOON, WIFE OF MD. ARIF

3. ABDUL BARIK, SON OF MD. ARIF

ALL RESIDENT OF BUILDING NO.396, GALI NO.2, BLOCK DIHRI NAGAR EXTENTION  
PART-3 BADARPUR, P.S. BADARPUR-110044, NEW DELHI, PERMANENT ADDRESS-  
NEW BANKEY BIHARI TENT HOUSE, GALI NO.X, EXTENSION 52, BUILDING NO.1435,  
SECOND 60 FEET ROAD, NEAR MOLAR BAND EXTENSION BADARPUR, NEW DELHI  
-----PETITIONERS.

Versus

THE STATE OF BIHAR-----OPP. PARTY.  
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04. 31.07.2009 Let Abdul Barik, son of Md. Arif be impleaded as petitioner  
no.3 in the instant case.

Heard learned counsel for the petitioner and the State.

Petitioners are apprehending their arrest in connection with  
a case registered for the offence under Section 498A of the Penal  
Code and Section 4 of the Dowry Prohibition Act. It is submitted on  
behalf of Abdul Barik, the husband of the complainant that he is ready  
and willing to continue the matrimonial relationship with the  
complainant and for that purpose he shall file written undertaking on  
affidavit within a period of four weeks from today.

Once such undertaking on affidavit is filed petitioners above  
named be admitted to the privilege of provisional bail on furnishing  
bail bonds of Rs. 5000/- (Five thousand) each with two sureties of the  
like amount each to the satisfaction of Chief Judicial Magistrate,  
Khagaria in connection with Complaint Case No. 955C of 2007  
thereafter notice be issued to the complainant and once she appears  
petitioner no.3 Abdul Barik in presence of the court persuade her to  
come back to the matrimonial fold not only by words of mouth but

also by his suitable conduct and gesture.

In the event, matrimonial dispute is resolved or the complainant comes back to the matrimonial fold or she is found to be unreasonable, provisional bail granted to the petitioners be confirmed, failing which the court below shall pass appropriate orders in accordance with law considering the reasonableness of the stand of the parties.

This application is, accordingly, disposed of.

Let a copy of this order be communicated to the court below through fax on payment of usual charges by the petitioners.

**(V.N.Sinha, J.)**

**Rajesh/**

