

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31785 of 2016**

Arising Out of PS.Case No. -559 Year- 2015 Thana -SITAMARHI District- SITAMARHI

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Faiz Akram Khan son of Md. Imtiyaz Khan, resident of Village-  
Makhdumpur, P.S.- Gurua, District- Gaya, at present resident of beside of  
D.P.C., Govt. house, Dumra, District- Sitamarhi.

.... .... Petitioner

Versus

1. The State of Bihar.

2. Md. Mustufa Khan, son of Md. Nesar Ahmad Khan, resident of Rajo  
Patti, Urdu Mohalla- Ward No.14, Sitamarhi, P.S. & District- Sitamarhi.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

**ORAL ORDER**

2     29-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the daughter of the informant is apprehending his arrest in a case registered for the offences punishable under sections 341, 323, 324, 498A, 504, 506/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demands. It is alleged that on 21.7.2015 father of the petitioner called a Panchayati near Ganesh Petrol Pump. When the informant and his brother went there, the accused persons surrounded them and the father of the petitioner gave knife blow on the head of the informant. The petitioner is alleged to have

pressed the neck of the informant.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the daughter of the informant. Specific accusation of assault is against the father of the petitioner. The petitioner is ready to keep her with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition.

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for four months, in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Sitamarhi P.S. Case No. 559/2015, 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 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, (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)**

Surendra/-

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