

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6933 of 2015

Arising Out of PS.Case No. -1097 Year- 2013 Thana -COMPLAINT CASE District- BANKA

Dhirendra Thakur

.... Petitioner

Versus

1. The State of Bihar.
2. Chandani Devi.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arvind Kumar Singh, Advocate.
For the Opposite Party : Mr. Nirmala Kumari(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-02-2015 Heard the learned counsels for the
petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498(A) of the Indian Penal Code and 3/4 of the D. P. Act.

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

On instruction it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour and has also filed restitution case, a statement to that effect has been made in paragraph no. 10 of the petition which reads as

follows:-

" 10. That wanted to root out the problem and wanted to keep her wife with full dignity and as the petitioner already filed a Matrimonial Suit (restitution of conjugal rites) bearing T.S. No. 1115 of 2013."

Considering the present stand of the petitioner, let the petitioner, above named, be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Complaint Case No. 1097 of 2013 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant 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.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the complainant fails to appear before the learned

court below (iii) or she gets reluctant to reconcile
the issue.

U.K./-

(Dinesh Kumar Singh, J)

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