

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10302 of 2015

Arising Out of PS.Case No. -2 Year- 2014 Thana -MAHILA PS District- KATIHAR

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1. Dinesh Thakur @ Dinesh Kumar Thakur Son of Sri Shivnandan Thakur
Resident of Village - Boropar, Sikkat, Police Station - Barari, District -
Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jibendra Mishra, Advocate

For the Opposite Party/s : Mr. Pronati Singh (APP)

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

2 12-03-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the informant
is apprehending his arrest in a case registered for the offences
punishable under Section 498A/34 of the Indian Penal Code
and 3/4 of the Dowry Prohibition Act.

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

On instruction it is submitted by learned counsel
for the petitioner that the petitioner has filed restitution case in
which the informant has already entered appearance. Petitioner
is always ready to keep the informant as wife with full dignity
and honour. Statement to that effect has been made in para-16
of the petition.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Sadar/Mahila P.S. Case No. 02 of 2014, 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 informant on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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