

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40905 of 2015

Arising Out of Complaint Case No. -107 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Sudhir Kumar Thakur, son of Ram Pravesh Thakur

.... Petitioner/s

Versus

1. State of Bihar
2. Soni Devi, wife of Sudhir Kumar Thakur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Asha Devi(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 31-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 13 of the petition which reads as follows:-

"13. That inspite of that the petitioner is still ready to keep the complainant with him."

It is further submitted that the petitioner made several

efforts before the learned court below to bring back the complainant but the complainant refused to accept the offer of the petitioner since she wants to settle the petitioner at her parents' house where she resides.

Considering the nature of accusation and the present stand of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Complaint Case No.107 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of bail will not preclude the complainant to résumé the conjugal life and if she so wishes and files an application before the learned court below then learned court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this court.

(Dinesh Kumar Singh, J)

Ashwini/-

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