

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56260 of 2015

Arising Out of PS.Case No. -1032 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Jitendra Kumar @ Jitendra Thakur S/o Ram Saneshi Thakur resident of
Village- Dharahara, P.S. Shyampur Bhataha District Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sulekha Devi W/o Jitendra Thakur D/o Bharat Thakur at present residing
at Village Pandarhiya, P.S. Belsand District Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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

2 11-12-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the
complainant is apprehending arrest in a complaint case in
which processes were directed to be issued after cognizance
being taken under Section 498A of the Indian Penal Code
and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non
fulfillment of dowry demands.

On instruction it is submitted that the petitioner
admits his marriage with the complainant and is ready to

keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 7 of the petition which reads as follows:

“That the petitioner is the husband of the complainant and always ready to keep her and her daughter with all respect and dignity”

Learned APP submits that the impugned reflects that earlier on affidavit the petitioner made undertaking to keep the complainant and minor daughter and deposit thirty one thousand rupees in the name of daughter in some fixed deposit scheme.

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 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 learned SDJM Sitamarhi in connection with Complaint Case No. C1-1032 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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