

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13137 of 2015

Arising Out of PS.Case No. -1030 Year- 2012 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Vijay Thakur, son of Brahma Nand Thakur, resident of Village-Dulha,
Police Station-Bisfi, District-Madhubani, at present Gopalpur, Gali No.
7, Makan No. 416, District-Timarpur, Delhi-54

.... Petitioner/s

Versus

1. The State of Bihar
2. Pushpa Devi, wife of Vijay Thakur, resident of Village-Dulha,
Police Station-Bisfi, District-Madhubani, presently residing with her
father Sita Kant Jha, resident of Village-Shibpatti, Police Station-Raj
Nagar, District-Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Manish Kumar No 13
For the Opposite Parties : Mr. Smt. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-03-2015 Petitioner being husband of the complainant
is apprehending his arrest in a complaint case in which
processes have been directed to be issued after cognizance
being taken for the offences punishable under Sections 323,
341, 498A of the I.P.C and Section 3/4 of the Dowry Prohibition
Act.

The basic accusation is of torture.

On instructions, it is submitted by learned
counsel for the petitioner that petitioner is ready to keep the
complainant as wife with full dignity and honour. A statement
to that effect has been made in para 12 of the petition which
reads as follows:-

“That, it is relevant to mention
here that the complainant is short

temperament lady and she is not ready to live with the petitioner peacefully. However, petitioner is ready to live with the complainant.”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhubani in connection with Complaint Case No. 1030 of 2012.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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