

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13107 of 2016

Arising Out of PS.Case No. -483 Year- 2015 Thana -COMPLAINT CASE District- BANKA

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Sachin Thakur @ Maduli Thakur, son of Late Ambika Thakur, resident of
Village-Ganeshagora, P.S.-Barahat, District-Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Nilam Devi, wife of Sachin Thakur @ Maduli Thakur and Daughter
of Late Mahendra Thakur, at present Resident of Village-Rajoun,
P.S.-Rajoun, District-Banka

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-03-2016

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

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and 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 petitioner is always
ready to keep the complainant with full of love,
dignity and honour.”

Considering the aforesaid 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 Additional Chief Judicial Magistrate, III, Banka in connection with Complaint Case No. 483 of 2015.

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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