

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17946 of 2016

Arising Out of PS.Case No. -28 Year- 2016 Thana -THARTHARI District- NALANDA
(BIHARSHARIFF)

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1. JITENDRA PRASAD @ JITENDRA KUMAR Son of Suresh Prasad
Resident of Village - Kathanpura, P.S. - Noorsarai, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khusbu Kumari Wife of Jitendra Prasad, Daughter of Lakshmi Prasad
Resident of Village - Rupan Bigha, P.S. - Tharthari, District - Nalanda.

.... Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 27-06-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 323, 307, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and making an attempt to take the life of the informant by the mother of the petitioner as a result the fingers of both the legs have been chopped.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and the thrust of accusation is against the mother of the petitioner. The petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has

been made in para 11 of the petition which reads as follows:-

“That the petitioner is however, still ready to keep the informant(O.P. No. 2) with him as his legally wedded wife with full dignity, respect and honour.”

It is submitted by learned counsel for the informant that informant is at the advanced stage of pregnancy and the wounds of the legs have still not been hilled up. Though the informant is still ready to accept the offer of the petitioner but she desires care and some maintenance at present.

The petitioner admits to take care of the informant and will deposit Rs. 25,000/- to the informant within a period of one week in the bank account of the informant. Learned counsel for the informant submits that informant will supply her bank account number within a period of one week to the petitioner.

The petitioner undertakes to take the informant to her place of employment at the convenience of the informant.

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 four months 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, Hilsa, Nalanda in connection with Tharthari P.S. Case No. 28 of 2016.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below on substantial restoration of the matrimonial harmony within a period of four months.

(Dinesh Kumar Singh, J)

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