

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20912 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Amit Thakur @ Amit Kumar Sharma Son of Kishundeo Thakur resident
of village - Siswa Sob, P.S. Kalyanpur, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari Daughter of Motilal Sharma resident of village - Gariba
Khas, P.S. Kalyanpur, District - East Champaran

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Durgesh Nandan(App)

=====

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

2 10-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the informant is
apprehending arrest in a case registered for the offence
punishable under Sections 498A, 323 and 379/34 of the Indian
Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner
admits his marriage with the informant and is ready to keep the
informant as wife with full dignity and honour. Statement to the
aforesaid effect has been made in paragraph no. 11 of the

petition which reads as follows:

“That, be that as it may, the petitioner has no grievance against his wife, and he, however, undertakes before the Hon’ble Court to keep his wife with full dignity and honour, respect and comfort, safety and security ”

It is further submitted that similar was the stand of the petitioner before the learned court below.

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 CJM, Motihari in connection with Kalyanpur P.S. Case No. 31 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance the petitioner will take the informant 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 informant fails to appear before the learned court below or
(iii) if the informant deliberately gets reluctant to reconcile the
issue.

(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--