

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1576 of 2016

Arising Out of PS.Case No. -1528 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Dilip Thakur Son of Biltu thakur Resident of Village -Khuhri, P.s
Rahika District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kiran Kumari wife of Dilip thakur village- Khuhri,P.s Rahika , District
Madhubani, daughter of Shiv Shankar Thakur Permanent resident of
Village- Rampatt,P.s Rajnagar, District madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Gulnar Begum (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 05-04-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case filed with accusation under Sections 323, 341, 498A, 420, 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, wherein processes were directed to be issued after cognizance being taken.

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 with full dignity and honour or settle the matter otherwise. A statement to that effect has been made in para 15 of the petition which reads as follows:-

“That the petitioner is still
ready to keep his wife or settle the matter to the
satisfaction of the complainant:

Learned Sessions Judge has disposed of the
anticipatory bail application of the petitioner on the ground
that only summons have been issued. A supplementary
affidavit has been filed to the effect that now non-bailable
warrant of arrest has also been issued. A statement to that
effect has been made in para 2 of the supplementary affidavit
which reads as follows:-

“That on 15.03.2015 learned
Court below issued a non bailable order against the
petitioner”

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 Judicial Magistrate, Madhubani in
connection with Complaint Case NO. 1528 of 2014.

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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