

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28243 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -SIMRI District- DARBHANGA

1. Rupesh Thakur @ Rupesh Kumar Thakur S/o Ram Sogaarth Thakur
Resident of Village- Jalwar, P.S.- Simri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Smt. Sahin Begam

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 16-08-2016

Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 341, 498A, 307, 504, 379 of the Indian Penal Code.

The basic accusation is of torture.

The petitioner and informant are present.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 14 of the petition which reads as follows:-

“That it is stated that the petitioner is ready to keep his wife with full

dignity and honour.”

Both the petitioner and informant agree to appear before the learned court below on 28th of September, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Simari P.S. Case No. 44 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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