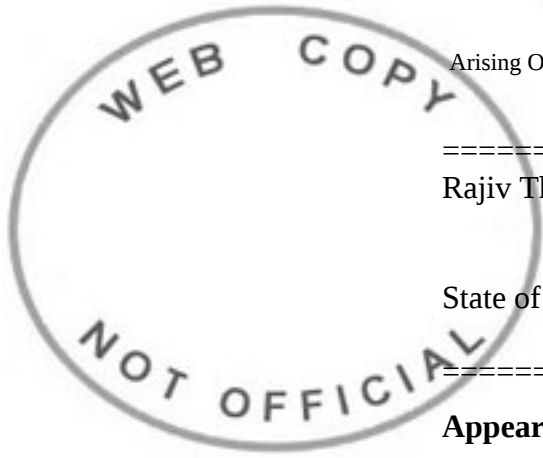




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32399 of 2016

Arising Out of Complaint Case No. -3036 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Rajiv Thakur @ Rajeev Thakur @ Rajeev

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr. Smt. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-08-2016 Learned counsel for the petitioner is permitted to make
necessary correction.

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case wherein process has been
directed to be issued after cognizance being taken for the offences
punishable under Section 498A of the Indian Penal Code and 4 of
the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of the
dowry demand.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant and he is

ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

"That the petitioner is ready to keep his wife (complainant) with full dignity and care."

It is further submitted that the petitioner has filed Matrimonial Suit No. 575/2013, for restitution of conjugal life before the Principal Judge, Family Court, Dwarka, New Delhi.

Considering the present stand of the petitioner and the fact that the complaint has been filed in 2013, let the above named petitioner be released on provisional anticipatory bail for four months 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM (East), Muzaffarpur, in connection with Complaint Case No.3036/2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and

honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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