

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34068 of 2016

Arising Out of PS.Case No. -661 Year- 2014 Thana -GAYA COMPLAINT CASE District- GAYA

=====

BIGAN THAKUR @ PARVEEN THAKUR @ PRAVENDRA THAKUR
@ PRAVEEN KR. SHARMA

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satya Veer, Adv.

For the Opposite Party/s : Mr. Sri Ahmad Ali(APP)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation punishable under Sections 341, 323, 324, 505, 379 and 498A of the Indian Penal Code wherein process has been directed to be issued after cognizance has been taken.

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of four children who are residing with the petitioner. The petitioner is ready to keep her 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 the petitioner is always ready to live and keep the complainant with her full respect and honour”

It is further submitted that similar was the stand of the petitioner before the learned court below but the issue could not be resolved, though, the impugned order suggests that it was the petitioner who was not ready to settle the issue.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 18th of August, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six 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 ACJM-II, Gaya in connection with Complaint Case No. 661 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 (ii) if the complainant failed to appear or (iii) if the complainant deliberately refuses to reside with the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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