

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14194 of 2016

Arising Out of PS.Case No. -49 Year- 2015 Thana -MAHILA PS District- BUXAR

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1. Jai Prakash Thakur @ Guddu Thakur son of Shri Doman Thakur
resident of village Parmanpur, P.S. Nawanagar, District Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Jyoti Devi daughter of Shri Nath Hazam resident of village Lakhan
Dihra, P.S. Dumrao, District Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyabir Bharti

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-08-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences under Sections 341, 323, 504, 506, 498A, 377, 120B of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and committing unnatural offence.

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and birth of a child. Though the matter was referred to the Gram Kutchery at the behest of the father of the informant where both sides agreed to part ways and the final order was passed by the Sarpanch, but still the petitioner is

ready to keep the informant and the child with full dignity and honour, though statement to that effect has not been made in the petition.

It is submitted by learned counsel for the informant that informant is not ready to accept the offer of the petitioner due to the past conduct of the petitioner and due to her ill health.

In the alternative, petitioner is ready to make payment of Rs. 1500/- per month to the informant from September, 2016, by depositing the same in the bank account of the informant by second week of every succeeding month. Learned counsel for the informant submits that informant is ready to accept the offer of the petitioner and undertakes to submit her bank account number by submitting the same on affidavit before learned Court below within a period of three weeks.

Considering the present stand of the parties, 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 anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar(Mahila) P.S. Case No. 49 of 2015.

The above payment will be subject to any

order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making payment will give liberty to the informant to file appropriate application for cancellation of bail of the petitioner.

The present order, in no way will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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