

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13029 of 2015

Arising Out of PS.Case No. -5 Year- 2013 Thana -MAHILA P.S District- SUPAUL

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1. Shiv Shankar Pandit S/o Shri Bhagwan Dutt@ Bhagwan Dutt Pandit.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari wife of Shiv Shankar Pandit,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 494, 341 and 379/34 of the Indian Penal Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

“7. That the petitioner is a Panchayat teacher living in a remote area but the informant was pressurizing him to live in a town, either at Madhepura or Supaul, which was the main reason for quarrelling, otherwise the petitioner was always ready to keep her with full honour and dignity and even still ready to keep.”

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 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 Sub-divisional Judicial Magistrate, Supaul in connection with Supaul Mahila Case No. 05 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant 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 informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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