

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10340 of 2015

Arising Out of PS.Case No. -282 Year- 2013 Thana -GAURICHAK District- PATNA

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1. Kedar Ram Son of Kauleshwar Ram resident of village- Babipur, P.s. Gaurichak, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi wife of Kedar Ram Daughter of Harihar Prasad resident of Village- Kamarji, P.S. Gaurichak District - Patna.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

2 17-03-2015 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Gaurichak P.S. Case No. 282 of 2013 registered under Sections-494, 498(A)/34 of the Indian Penal Code.

The petitioner happens to be husband of the informant, whose marriage with the petitioner was solemnized in the year, 2005 and after marriage, she gave birth to a child who is presently, aged about 6 years but it is alleged that the petitioner solemnized his second marriage with another woman in the year, 2013 and after that, he started torturing the informant in both ways; i.e. mentally and physically, resulting the institution of the present case.

The contention on behalf of the petitioner is that the petitioner is still ready to keep the informant with him with full honour and dignity and if, the informant is not ready to lead her conjugal life

with the petitioner, the petitioner may settle the dispute with the informant by way of one time settlement.

Considering the aforesaid facts and circumstances as well as submission of the parties, this petition stands disposed off with direction to the petitioner to surrender before SDJM, Patnacity, Patna/concerned court in connection with Gaurichak P.S. Case No. 282 of 2013 within four weeks from today and if, the petitioner does so, the concerned court shall release the petitioner on bail, provisionally, for a period of three months on the date of his surrender itself on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to its own satisfaction and shall issue notice to the informant as well as the petitioner fixing a date for conciliation and if, in course of conciliation, the petitioner concedes to resolve the dispute by way of one time settlement with consent of the informant, the provisional bail granted to the petitioner shall be confirmed by learned court below itself but if, the talk of one time settlement fails, the learned court below shall consider the regular bail application of the petitioner on its own merit without being prejudiced by this order.

A.K.V./-

(Hemant Kumar Srivastava, J)

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