

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45524 of 2014

Arising Out of PS.Case No. -147 Year- 2014 Thana -PARIHAR District- SITAMARHI

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1. Vijay Singh Son of Late Bujhawan Singh Resident of Village -
Ramnaika, P.S.-Parihar, Dist.-Sitamarhi

.... Petitioner/s

Versus

1. State of Bihar
2. Nilam Devi Wife of Vijay Singh, Daughter of Parsan Singh Resident of
Village - Ramnaika, P.S.-Parihar, Dist.-Sitamarhi. At Present , Village -
Saihari Ramnaika, P.S. Parihar, Dist.-Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-04-2015 Heard learned counsels for the petitioner,

informant and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offence under sections 323 and 498A of the Indian Penal Code.

The basic accusation is of torture.

Notices were issued to the informant vide order dated 24.12.2014 on the submission of learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement

to the aforesaid effect has been made in paragraph 9 of the petition.

The factum of marriage between the petitioner and the informant and birth of four children are admitted facts.

The informant is present and she is ready to accept the offer of the petitioner. Both petitioner and the informant agree to appear before the learned court below on 29.4.2015 when the petitioner will take the informant and four children to keep them with full dignity and honour.

Considering the present stand of the parties, 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Parihar P.S. Case No. 147 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 or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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