

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48169 of 2015**

Arising Out of PS.Case No. -368 Year- 2015 Thana -BHAGALPUR KOTWALI District-  
BHAGALPUR

=====

Shekhar Hari

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 12-10-2015

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, 341, 323, 494 and 504/34 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

Learned counsel for the petitioner submits that the informant herself resides at Delhi and has deserted the petitioner. The informant earlier filed Kotwali (Barari) P.S. Case No. 548 of 2014 in which the petitioner has been granted bail. Statement to that effect has been made in para 3 of the petition. Petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 13 of the

petition which reads as follows:-

*“That the petitioner was/ is ready to keep her wife with love and affection by maintaining themselves along with the children.”*

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 CJM, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 368 of 2015, 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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