

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53600 of 2015

Arising Out of PS.Case No. -168 Year- 2015 Thana -BRAHMPUR District- BUXAR

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Manoj Tiwary @ Tuntun Tiwary @ Tuntun son of Late Shyam Bihari
Tiwary R/o Village Barki Nainijor, P.S. Brahmpur Nainijor), Distt- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Babita Tiwary wife of Manoj Tiwary, Daughter of Kripal Rai R/o Village
Simari (Dudhipati), P.S. Simari, Distt Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Rina Sinha(App)

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

02/ 26-11-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Section 498A, 323 and 504 of the
Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
informant and is ready to keep the informant as wife with full
dignity and honour. Statement to that effect has been made in
paragraph 7 of the petition, which reads as follows:-

“That the petitioner is always ready to keep her

with full dignity and with respectfully.”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds 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 Brahmpur P.S. Case No. 168 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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