

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14787 of 2015

Arising Out of PS.Case No. -29 Year- 2013 Thana -MAHILA PS District- GOPALGANJ

Manoj Kumar Singh S/o Sita Ram Singh, Resident of village- Goplanath,
P.S.- Thawe, Dist- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Asha Devi W/o Manoj Kumar, D/o Shiv Kumar Singh, Resident of
village- Beudi, P.S.- Barauli, Dist- Gopalganj

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr. Kalyan Shankar(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 20-08-2015 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 Sections 498A and 406/34 of the Indian
Penal Code.

The basic accusation is of torture.

Notices were issued to the informant vide order
dated 13.04.2015. The office note dated 19.08.2015 reflects
that ordinary process of notice has been served on the lawyer
of opposite party no. 2 appearing before the learned court
below, but none is appearing on behalf of opposite party no. 2.

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

It is submitted by learned counsel for the petitioner that petitioner along with one son is present in the Court, though, both the children reside with the petitioner. It is further submitted that the informant herself deserted the petitioner. However, petitioner is ready to pay Rs.2,000/- per month from October, 2015 to the informant by depositing the same in her account by second week of every month.

It is expected from the informant to submit her bank account number on affidavit before the learned court below.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his 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 Chief Judicial Magistrate, Gopalganj in connection with Gopalganj (M) P.S. Case No. 29 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to



any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the informant to file application for cancellation of bail of the petitioner.



DKS/

(Dinesh Kumar Singh, J.)

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