

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11479 of 2016

Arising Out of PS.Case No. -203 Year- 2015 Thana -PALASI District- ARRARIA

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Kanhaiya Kumar Mandal @ Kanhaiya, son of Pramod Mandal, resident of
Village-Mazlispur, P.S.-Palasi, District-Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-03-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 341, 307, 504, 506, 34 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the informant eight years prior to the lodging of the case and petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 20 of the petition which reads as follows:-

“That the petitioner is ready
to keep his wife with full honour and dignity.”

It is further submitted that similar was the stand before learned Court below but thereafter the petitioner did not appear before learned Court below in spite of the offer being accepted by the informant.

It is submitted by learned counsel for the informant that informant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 28th of March, 2016, when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for three months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, III, Araria in connection with Palasi P.S. Case No. 203 of 2015.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of three months (ii) If the informant fails to appear before learned Court below (iii) If the Informant is reluctant to reconcile the issue.

Shageer/-

(Dinesh Kumar Singh, J)

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