

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16663 of 2016

Arising Out of PS.Case No. -313 Year- 2015 Thana -RIGA District- SITAMARHI

=====

Balwant Patel @ Balbant Patel son of Sri Siyaram Rai Resident of Village-
Sirauli, Samodhi Tola, P.S. Riga, district- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, wife of Balwant Patel @ Balbant Patel and daughter of
Shivji Patel, presently residing at Village- Siarauli, Samodhi Tola, P.S.
Riga, District- Sitamarhi.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. J.N. Thakur (App)

=====

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

03/ 01-08-2016 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 494/34 of the
Indian Penal Code.

The basic accusation is of torture and
performing second marriage.

It was submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
informant and has not performed second marriage. The

petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 14 of the petition, which reads as follows:-



“That, it is relevant to state here that the petitioner has not performed second marriage with any other girl rather it is concoction of the Opposite Party no. 2 and he is still ready to keep Opposite Party no. 2 with full dignity and honour.”

On the joint prayer of the parties the matter was referred to the State Legal Services Authority vide order dated 19.04.2016. The report of the Mediator dated 05.07.2016 at Flag ‘A’ reflects that the issue has been settled between the parties and it is submitted by learned counsel for the informant that she is reading with her husband, the petitioner.

However, none appears for the petitioner.

Considering the submission of the learned counsel for the informant, 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, Sitamarhi in connection with Riga P.S. Case No.

313 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

Let the report of the Mediator and the terms of
agreement along with the order be transmitted to the learned
court below.



DKS/

(Dinesh Kumar Singh, J.)

U		T	
---	--	---	--