

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16197 of 2016

Arising Out of PS.Case No. -154 Year- 2014 Thana -WARISNAGAR District- SAMASTIPUR

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Ashok Paswan, S/o Late Manik Paswan, resident of village- Ekdabari, P.S.-
Warishnagar, District- Samastipur

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 12-04-2016 Heard learned counsel 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 341, 323, 354, 379, 498A, 504, 506 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by learned counsel for the petitioner that the petitioner admits the marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 8 of the petition which reads as follows:-

“That it is stated that petitioner is husband and he is always ready to keep his wife and his son and daughter with full dignity and honour but it is the informant who herself did not want to lead her conjugal life with the petitioner.”

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 Smt. Ranjula Bharti, J.M., Ist Class, Samastipur in connection with Warisnagar P.S. Case No. 154 of 2014, 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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