

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31516 of 2015

Arising Out of PS.Case No. -252 Year- 2014 Thana -MOKAMAH District- PATNA

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Rajesh Kumar, Son of Surendra Singh, Resident of Village- Rampur
Dumra, Choudhary Tola, P.S. Marachi, District Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Sujata Devi, daughter of Kedar Prasad Singh, Resident of Village and
P.O Moldiyaar Tola, P.S. Mokama, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Adv

For the Opposite Party/s : Mr. Surendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

11 30-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 307, 323, 341, 498A and 504/34 of the Indian Penal Code.

The basic accusation is of torture, making assault and performing second marriage.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant. Both sides have decided to part ways on payment of one time settlement amount of ₹6.5 lacs. Learned counsel for the petitioner further submits that the petitioner will hand over a draft of ₹5 lacs to the

informant within a period of one month and a draft of rest ₹1.5 lacs three weeks thereafter.

Learned counsel for the complainant does not controvert the contention of the counsel appearing for the petitioner.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Mokama, Patna in connection with Mokama P.S. Case No. 252 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on encashment of draft of ₹6.5 lacs.

It is expected from the both sides to file affidavit before the learned court below with regard to their present stand.

(Dinesh Kumar Singh, J)

Amrendra/-

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