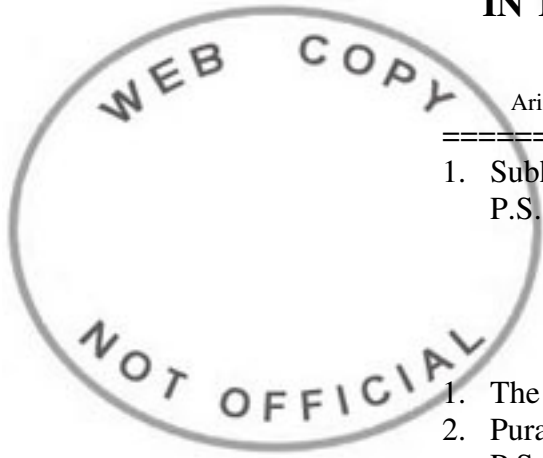




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46484 of 2015

Arising Out of PS.Case No. -84 Year- 2015 Thana -BALRAMPUR District- KATIHAR

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1. Subhash Das Son of Ashik Lal Das, Resident of Village - Pattharbari,
P.S. - Balrampur (Telta), District - Katihar.

..... Petitioner/s

Versus

1. The State of Bihar.
2. Purani Devi, Wife of Subash Das, Resident of Village - Pattharbari,
P.S. - Balrampur (Telta), District - Katihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir
For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-04-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 323, 324, 313, 307/34 of the Indian Penal Code.

The basic accusation is of torture, making assault and getting the pregnancy terminated.

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the petitioner that there is nothing on record to suggest that actually the pregnancy was terminated. The petitioner admits his marriage with the informant and is ready to keep the

informant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

“That it is stated that the petitioner is still ready to keep the informant as his wife with full dignity and honour.”

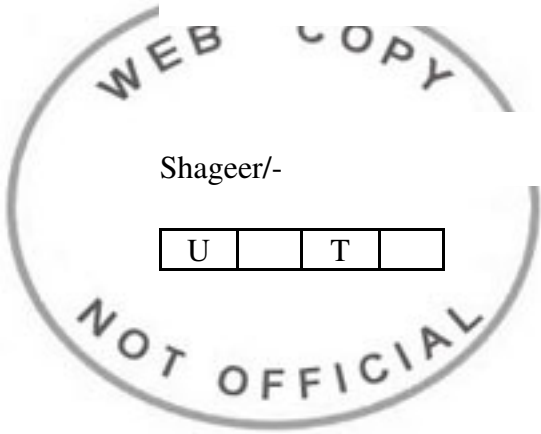
It is submitted by learned counsel for the informant that informant accepts the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before learned Court below on 29th of April, 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 one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar in connection with Balrampur P.S. Case No. 84 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 one year (ii) If the informant fails to

appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)