

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29954 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

Sonu Tiwary, Son of Dadan Tiwary, Resident of village Dharahara, P.S. Durgawati, District – Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar
2. Annu Devi Wife of Sonu Tiwary, D/o Sadanand Upadhya, resident of village Dharahara, P.S. Durgawati, District – Kaimur at Bhabua, at present reside at village Bagadhi, P.S. Ramgarh, District – Kaimur at Bhabua.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Sri Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 05-09-2016

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, 120B, 307, 467 and 468/34 of the Indian Penal Code.

The accusation is of torture and making attempt on the life of the informant.



It is submitted by learned counsel for the petitioner that the informant earlier lodged Durgawati P.S. Case No. 102 of 2015 with accusation under Section 498A of the IPC in which the petitioner was granted provisional anticipatory bail vide order dated 07.08.2015 passed in Cr. Misc. No. 31967 of 2015 on readiness of the petitioner to keep the informant as wife with full dignity and honour and in pursuance to the above order the petitioner took the informant to keep her as wife, but thereafter again the informant deserted the petitioner. At present the bail bond of the petitioner has been cancelled. It is submitted by learned counsel for the petitioner that, though, earlier the matter was referred to the Mediation and Reconciliation Centre of Bihar State Legal Services Authority but the report of the Mediator at Flag 'X' reflects that the issue could not be resolved through the process of the Mediation. Hence, the petitioner is not ready to keep the informant.

Counsel for the informant submits that the informant is still ready to resume the conjugal life.

Considering the above facts, let the learned court below consider the prayer for bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Bhabua

Mahila P.S. Case No. 17 of 2016 pending in the court of learned
Sub-divisional Judicial Magistrate, Kaimur at Bhabua.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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