

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46879 of 2014

Arising Out of PS.Case No. -1199 Year- 2013 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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Hare Ram Bhagat @ Hareram Kumar Son of Ganesh Bhagat resident of
village - Pahlam, P.S. Salkhua District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari, W/o- Hareram Bhagat, D/o- Daho Mukhiya, R/o- village
Pahlama, Panchayat – Ghordour, P.S. Salkhua, District – Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 11-01-2016 Heard learned counsel for the petitioner, Opposite Party
No. 2 and learned counsel for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 1199C of 2013 registered for the offences
punishable under Sections 363, 366, 323, 498A and 506 of the
Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Both the parties namely, Hare Ram Bhagat @ Hareram
Kumar (petitioner) and Rekha Kumari (opposite party No. 2) are
present in Chambers today.

After much deliberations, it has been decided that the
petitioner and the opposite party no. 2 are willing to live together.
Petitioner states that he shall take his wife and her child from this



court today to her matrimonial home where she shall stay together till Basant Panchami and thereafter, they will proceed to Delhi where the petitioner earns his livelihood. Petitioner further undertakes that the opposite party no. 2 will not be subjected to any form of physical or mental torture. The opposite party no.2, on the other hand, states that she is ready and willing to live with her husband together and shall cooperate the petitioner in every walk of life so that the marital life be restored.

Considering the bona fide offer made by the petitioner and agreed upon by opposite party no. 2, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate at Saharsa in connection with Complaint Case No. 1199C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that if, at all, there shall be any recurrence of untoward incident, leading to mental or physical torture to the opposite party no. 2 and her child, it shall be open for her to move this Court for modification of the order or

approach the Court below for any action in accordance with law
including cancellation of the bail.

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(Anjana Mishra, J)