

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32380 of 2016

Arising Out of PS.Case No. -145 Year- 2015 Thana -AKBARPUR District- NAWADA

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Bhushan Raut Son of Late Jokhan Raut Resident of Village : -Shekho
Debara, P.S. - Kauakol, District : - Nawada.

.... Petitioner

Versus

1. The State of Bihar.
2. Anita Devi Wife of Bhushan Raut Resident of Village : - Pachgawa, P.S.
:- Akbarpur, District : - Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 09-08-2016

Heard learned counsel for the parties.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under sections 406, 498A, 420, 419, 307/34 of the Indian Penal Code.

The basic accusation is of torture. It is alleged that the petitioner subsequently performed second marriage and made assault to the informant. It is further submitted that attempt was made to cause burn injury to the informant.

It is submitted by the learned counsel for the petitioner that the petitioner at the earlier point of time filed Kawakole P.S.Case No. 83/2014 under sections 323, 379, 347, 406, 384, 420, 497 of the Indian Penal Code. It is also submitted that the



petitioner has not performed second marriage. Statement to that effect has been made in paragraph 8 of the petition. Statement has been made in paragraph 9 of the petition that the petitioner is ready to keep the informant with full dignity and honour. Statements made in paragraphs no. 8 and 9 of the petition read as follows:

"8. That it is submitted that petitioner has not arranged second marriage the allegations are totally false.

9. That the petitioner is ready to keep his wife (opposite party no.2) with full dignity and honour."

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for six months, in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.I, Nawada in Akbarpur P.S. Case No. 145/2015, 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 for her appearance and make an effort to get the issue settled through conciliation.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities: (i) if the

matrimonial harmony is substantially restored, (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Surendra/-

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