

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28456 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -NARPATGANJ District- ARRARIA

=====

Kishandeo Mandal @ Kishundeo Mandal @ Krishnadeo Mandal, S/o late Mukhlal Mandal, village- Gargama, P.s.- Narpatganj, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 03-10-2016

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 341, 323, 326, 307 and 498A/34 of the Indian Penal Code.

The basic accusation is of torture. It is also alleged that the petitioner made attempt to cause burn injury to the informant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph-2 of the supplementary affidavit which reads as follows:-

“That the instant supplementary affidavit is being filed to

state petitioner's willingness to keep his wife (O.P.no.2) with him with full honour and dignity."

Notice was issued to O.P.no.2 vide order dated 12.07.2016. The office notes dated 09.09.2016 reflects that the O.P.no.2 received notice but none appears on behalf of O.P.No.2.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail, 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 Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Araria in connection with Narpatganj P.S.Case No.11 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The present order will not preclude the informant to resume the conjugal life. If the informant files an application before the learned court below that she intends to resume the conjugal life, then the learned court below shall issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

B.Kr./-

U		T	
---	--	---	--

