

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34802 of 2016

Arising Out of PS.Case No. -109 Year- 2015 Thana -SURYAPURA District- SASARAM
(ROHTAS)

=====

1. Dina Nath Pandey Son of late Narayan Pandey Resident of Village-
Kharoj, P.S Surjyaopure, Distt Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Upendra Kumar

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

ORAL ORDER

2 16-08-2016

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 offence punishable under Sections 341,323 and 498A of the Indian Penal Code.

The basic accusation is of torture after thirty years of marriage.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour and resolve the issue. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition, the relevant portion of which reads as follows:

“.....the petitioner does not want to prolong such

dispute, rather is ready to resolve the dispute and also ready to keep the informant as wife with full dignity and honour.....”

It is further submitted that the son of the petitioner filed Title Suit no.11 of 2015 at earlier point of time and thereafter the informant at the behest of the son of the petitioner has lodged the case.

Considering the accusation in the background of pending partition suit from before and the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of 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 learned SDJM, Bikramganj, Rohtas in connection with Suryapura P.S. Case No. 109 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

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 or (ii) if the

informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.



Anil/-

(Dinesh Kumar Singh, J)

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