

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.98 of 2016

Arising Out of PS.Case No. -253 Year- 2015 Thana -KAJI MUHAMMADPUR District-
MUZAFFARPUR

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1. Deepak Kr. Pandey Son of Sri Tapasya Pandey Resident of Village-
Ramsahar, Ps. Barhara, District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar & Anr.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyotsna Rani Mishra, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh(App)

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

ORAL ORDER

4 30-06-2016 Heard learned counsel 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, 494 of the Indian Penal Code.

The basic accusation is of torture and performing
second marriage. It is alleged that the petitioner concealed his
first marriage while performing love marriage with the
informant.

It is submitted by the learned counsel for the
petitioner that petitioner admits the marriage with the
informant. The petitioner has filed appropriate Matrimonial
Suit for dissolution of marriage. The petitioner does not deny
the factum of marriage and having two children from his first

wife. In the circumstances, reconciliation does not appear to be feasible at present.

However, counsel for the petitioner submits that the petitioner is ready to make payment of Rs. 2,50,000/- as one time settlement amount.

Learned counsel for the informant submits that the informant is ready to accept the offer and both sides agree to part ways of one time settlement amount of Rs. 2,50,000/-.

Learned counsel for the informant does not dispute the contention of the learned counsel for the petitioner. Though, no petition to that effect has been filed before this Court.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for two month in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Kazi Mohammadpur P.S. Case No. 253 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

Learned counsel for the petitioner undertakes that the petitioner will submit a bank draft of Rs. 1,50,000/- before the learned court below at the

time of furnishing bail bonds, which will be released by the learned court below in favour of the informant. The petitioner will submit a bank draft of Rs. 1,00,000/- before learned court below within two months of execution of bail bonds through bank draft which will be released by learned court below in favour of informant thereupon learned court below will confirm the provisional bail of the petitioner.

(Dinesh Kumar Singh, J)

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