

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40958 of 2016

Arising Out of PS.Case No. -95 Year- 2015 Thana -SHIVSAGAR District- SASARAM (ROHTAS)

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1. Dharendra Paswan son of Bhim Paswan Resident of Village-Parasdiha,
P.S.Sheosagar, District Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Mala Devi wife of Dharendra Paswan Resident of Village-Parasdiha,
P.S.- Sheosagar, District-Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2016 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 341,323,498A and 379/34 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner admits his marriage with the informant and birth of three children and is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 7 of the petition which

reads as follows:

“ That the petitioner is ready to keep the victim as wife and she herself went with her nephew and brother.”

It is further submitted that similar was the stand of the petitioner before the learned court below.

In view of the present stand of the parties, this court is inclined to give one chance to the petitioner so that the issue can be reconciled. Accordingly, let the above named petitioner be released on provisional anticipatory bail for six months 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 ACJM VI, Rohtas at Sasaram in connection with Sheosagar P.S. Case No. 95 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.



(Dinesh Kumar Singh, J)

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