

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19168 of 2016

Arising Out of PS.Case No. -529 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Aditya Kumar @ Aaditya Kumar, son of Deep Narayan Mishra, resident of
House No. 232, Amar Chhatauni, P.S.-Chhatauni, District-East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Richa Pandey @ Richa Bhardwaj, daughter of Sri Niwas Pathak,
wife of Aditya Kumar, residing at Mohallah-Telia Patti, P.S.-
Motihari Town, District-East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Mishra

For the Opposite Party/s : Mr. Md.Arif(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-05-2016

The petitioner being husband of the informant is languishing in custody since 01.03.2016 in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that the basic dispute is with regard to the partition of the property. The petitioner is still ready to keep the informant with dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the accused

petitioner is willing to re-establish his conjugal life without any condition and wants to carry her wife with due permission of the Hon'ble Court."

It is further submitted that petitioner has filed a petition before learned Court below to the effect that petitioner has not performed second marriage.

It is submitted by learned counsel for the informant that informant also wants to get the issue resolved.

Considering the present stand of the parties, let the petitioner, above named, be released on provisional bail for a period of three months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Motihari in connection with Motihari Town P.S. Case No. 529 of 2014.

Both sides agree to appear before learned Court below and get the issue resolved.

The provision bail of the petitioner will be confirmed by learned Court below on resolution of the dispute between the parties.

(Dinesh Kumar Singh, J)

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