

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4997 of 2016

Arising Out of PS.Case No. -238 Year- 2015 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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Lala Jamadar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tilak Sao

For the Opposite Party/s : Mr. Ganesh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-01-2016

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, 498A and 379/34 of the Indian Penal Code.

The basic accusation is of torture.

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, though, at present, the informant is residing with the petitioner. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is ready to keep the complainant as wife. Moreover the complainant is living with her husband-petitioner at this time as husband and wife.”

Considering the aforesaid facts, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda at Bihar Sharif in connection with Harnaut P.S. Case No. 238 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 for her appearance and if she admits the factum of issue being settled between the parties then the provisional bail of the petitioner will be confirmed by learned court below otherwise the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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