

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33568 of 2016

Arising Out of PS.Case No. -165 Year- 2015 Thana -BHANGWANPUR HAT District- SIWAN

1. Dharmendra Pandey @ Dharmendra Kumar Pandey, S/o Rameshwar Pandey, R/o village- Pandit Ke Rampur, P.S.- Bhagwanpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mala Devi, W/o Dharmendra Pandey, D/o Dhruv Narayan Mishra, R/o Village- Mora, P.S.- Bhagwanpur Hat, District- Siwan

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-08-2016 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 323, 379, 406, 498A of the Indian Penal Code.

The basic accusation is of torture after 14 years of marriage.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the

informant and birth of two children. The petitioner is still ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para-9 of the petition which reads as follows:-

“That the petitioner is still ready to keep the informant as wife with dignity and honour.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Bhagwanpur Hat P.S. Case No. 165 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within six months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets

reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)