

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57777 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -MAHILA P.S. District- NAWADA

Bablu Kumar @ Babla Kumar S/o - Late Chandradeo Prasad

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. Sweta Kumari S/o - Indradeo Prasad

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 15-09-2016 Heard learned counsels for the petitioner, informant and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 379, 341, 323, 504, 34 of the Indian Penal Code.

Basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant but the informant deserted the petitioner after three years of marriage.

A joint compromise petition has been filed, by way of



Interlocutory Application No.1810/2016, to the effect that both sides decided to part ways on payment of Rs.5.5 lacs (Rupees Five Lacs and Fifty Thousand Only) by way of one time settlement amount. Out of Rs.5.5 lacs, Rs.3 lacs (Rupees Three Lacs Only) will be paid at the time of furnishing the bail bonds and rest of the amount will be paid after one month of furnishing the bail bonds. Further, both sides agree to get the marriage dissolved by way of filing appropriate suit under section 13(B) of the Hindu Marriage Act. Both sides also agree to file appropriate application before the learned Court below bringing on record their present stand.

Learned counsel for the informant does not dispute the contention of the petitioner and he is also not opposing the prayer for bail of the petitioner.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail provisionally for a period of six months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Nawada, in connection with Nawada (Mahila) P.S. Case No.48/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below on payment of agreed amount of Rs.5.5 lacs (Rupees Five Lacs and Fifty Thousand Only) to the informant.

(Dinesh Kumar Singh, J)

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