

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9037 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Raj Kishore Gupta, Son of Ram Shankar Sah, Resident of Village-
Madhopur Kesho, P.S. Rajepur, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Usha Devi, W/o Raj Kishore Gupta, D/o Ram Sajjan Sah, at present
residing at Harauna, P.S. Motipur, District Muzaffarpur

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Narsing Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 12-07-2016 Though, the matter has been listed under the heading for Orders on Office Note awaiting the service of notice to opposite party no. 2. Since, both sides have entered appearance the matter has been taken up on merits.

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 498A, 341,

323, 504, 506/34 of the Indian Penal Code.

The basis accusation is of torture.

Petitioner and informant are present.

On instruction, it is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the informant and ready to keep the informant as wife with due dignity and honour. Statement to that effect has been made in para-8 of the petition which reads as follows:-

“That it is also submitted that the petitioner is ready to keep the informant/opposite party no. 2 with full dignity and respect.”

It is further submitted that the informant has filed Matrimonial Suit No. 503 of 2015 with a prayer for dissolution of marriage.

However, learned counsel for the informant submits that the informant is not ready to accept the offer of the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on bail 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 Sub-Divisional Judicial Magistrate, East Champaran, Motihari in connection with Rajepur P.S. Case No. 125 of 2015, subject

to conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)