

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32582 of 2015

Arising Out of PS.Case No. -52 Year- 2015 Thana -ATHMALGOLA District- PATNA

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Chakradhari Sharma son of Late Ramdeo Sharma, Resident of village-
Sabnima, P.s.- Athmalgola, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Shashi Devi W/o Chakradhari Sharma, Resident of village – Sabnima,
P.S. – Athmalgola, District – Patna.

.... Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

05/ 01-03-2016 Heard learned counsels 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 341, 323, 498A and 504/34 of the Indian Penal Code.

The basic accusation is of torture after 19 years of the marriage.

Counsel for the petitioner submits that the petitioner admits his marriage with the informant and birth of a male child, who is now twelve years of age. The informant is residing in the house of the petitioner and petitioner is ready to

take care of the informant and child.

Counsel for the informant submits that the informant is residing in one of the room of the petitioner's house but she is not being maintained by the petitioner nor she is allowed to enjoy her share of property in the matrimonial house.

Counsel for the petitioner submits that the petitioner is ready to make payment of Rs.2,000/- per month from April, 2016 to the by depositing the same in her account by second week of every month and will provide all other amenities and will not disturb the possession of the informant in the matrimonial house.

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner and undertakes to submit the bank account number on affidavit before the learned court below within a period of three weeks.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned



Sub-divisional Judicial Magistrate, Barh in connection with Athmalgola P.S. Case No. 52 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

Three consecutive defaults in making payment will give liberty to the informant to file application for cancellation of bail of the petitioner.

The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J.)

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