

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46319 of 2015

Arising Out of PS.Case No. -134 Year- 2015 Thana -KHIJARSARAI District- GAYA

1. Binay Kumar, S/o Bachchu Mahto, resident of Village- Nanuak, P.S.-
Buniadganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Soni Kumari, D/o Late Mahendra Prasad, resident of village+ P.S.-
Tenkupa, District- Gaya.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Ajay Kr. 2(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 12-05-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the sister of
the informant is apprehending his arrest in a case
registered for the offences punishable under Section 498A
of the Indian Penal Code.

The basic accusation is of torture.

The petitioner and sister of the informant are
present in the Court.

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

of the informant and both have decided to part ways on payment of permanent alimony of Rs. 5,00,000/-, out of which Rs. 3,00,000/- have already been paid and they have decided to file appropriate application under Section 13B of the Hindu Marriage Act for getting the marriage dissolved. The amount will be paid by 15th of June, 2016.

The contention of the learned counsel for the petitioner has not been controverted by the learned counsel for the sister of the informant. Though, no statement to that effect has been filed.

Considering the present stand of the parties, 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 Miss. Akanksha Kashyap, J.M., Ist Class, Gaya in connection with Khizersarai P.S. Case No. 134 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

If any application with regard to present stand of the parties has been filed before the learned court below, the learned court below is expected to conclude the proceeding in accordance with law.

Either party will be at liberty to file

appropriate application in case of breach of undertaking given
by either of the parties.



(Dinesh Kumar Singh, J)