

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30134 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -DEO District- AURANGABAD

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1. Guddu Tiwari @ Gudu Tiwari, Son of Late Siya Ram Tiwary, resident of Village- Tiwary Chak, P.S.- Fatehpur, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Deepa Devi, wife of Guddu Tiwari, D/o Satyendra Tiwary, resident of Village Tiwarichak, P.S. Fatehpur, District Gaya. At present village Gangti, P.S. Deo, District Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamendra Pd. Singh
For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-07-2017 Learned counsel for the petitioner is permitted to implead the informant Deepa Devi as opposite party no. 2 with complete address.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in connection with Deo P.S. Case No. 22/2017 for offences punishable under Sections 341, 323, 326, 307, 498-A of the Indian Penal Code.

The prosecution case, as lodged by the informant Deepa Devi, who is wife of the petitioner, is that she was married to the petitioner last year. After marriage petitioner started harassing the informant in different ways and also tried to slit her neck with knife, but anyhow she escaped and was



treated in hospital.

It has been submitted by the learned counsel for the petitioner that he is innocent, the injury on the neck of the informant has not been caused by him and as per the injury report the same has been found to be simple in nature. He submits that he is ready to keep his wife in the matrimonial house with full dignity and honour.

However, learned APP for the State opposes the prayer for bail.

Be that as it may, let petitioner, above named, be enlarged on provisional bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Deo P.S. Case No. 22/2017. The petitioner will appear before the learned court below on 28.08.2017, on which event, the learned court below would issue notice to opposite party no. 2 and on her appearance the petitioner will take the opposite party no. 2 to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or



(iii) if the opposite party no. 2/informant deliberately gets reluctant to reconcile the issue.

(Nilu Agrawal, J)

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