

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5080 of 2017

Arising Out of PS.Case No. -106 Year- 2016 Thana -SISWAN District- SIWAN

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Ashok Bharti, S/o Krishna Bharti, R/o Vill- Nagaie, P.S.- Siswan
(Chainpur), District- Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Kusum Devi, D/o Gyan Bharti, R/o Village Pipra Mathia (Korari), P.S.-
Duraundha, District- Siwan.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Smt. Pushpa Sinha

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 27-03-2017 Heard learned counsel for the petitioner, learned counsel
appearing on behalf of O.P. No.2 and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Siswan P.S. Case No. 106 of 2016, registered under Sections 498(A),
323, 341 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner
is ready to keep his wife (O.P. No.2) with full honour and dignity.

On the other hand, learned counsel appearing on behalf
of O.P.No.2 submits that O.P. No.2 is also ready to go with the
petitioner to her matrimonial house.

Having regard to the facts and circumstances of the case,
let the above named petitioner, be released on provisional bail in the
event of his arrest or surrender before the learned Court below within a



period of four 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 Chief Judicial Magistrate, Siwan, in connection with Siswan P.S. Case No. 106 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The O.P. No.2 and petitioner will appear before the Court below within eight weeks and court below will confirm the bail of the petitioner, if the dispute is settled between O.P.No.2 and the petitioner and if the court comes to conclusion that O.P. No.2 is avoiding the association of petitioner or if the Court below finds latches on the part of the petitioner, the Court below would be at liberty to cancel the bail bond of the petitioner.

(Rajendra Kumar Mishra, J)

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