

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45343 of 2016

Arising Out of PS.Case No. -155 Year- 2016 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

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Deepak Sah Son of Late Binda Sah, Resident of Village- Sahebghanj Pratap
Patti, P.S. Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Deepika Devi, W/o Deepak Sah, D/o Satrugan Sah, Resident of Village-
Keshariya Hamidpur, P.O. Keshariya, P.S. Keshariya, District- East
Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 25-04-2017 Heard Mr. Nachiketa Jha, learned counsel for the

petitioner, Mr. Vinod Kumar Singh, learned counsel for the

informant and Mr. J.N. Thakur, learned counsel for the State.

The petitioner being the husband of the informant is
apprehending arrest in a case registered for the offences
punishable under Sections 498A and 494/34 of the Indian Penal
Code.

The basic accusation is of torture and performance of
second marriage.

The petitioner and the informant are present in the court.

Learned counsel for the petitioner submits that the



petitioner admits his marriage with the informant and birth of two female children. The petitioner is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in para 8 of the petition which reads as follows:-

“That the petitioner never intended to torture her and their daughter, he is ready to keep her and his daughter with full honour and dignity.”

It is further submitted that the issue has been reconciled between the parties as both sides decided to part ways on certain terms and in pursuance to the terms of compromise, the petitioner transferred five dhurs of land in favour of the daughter of the informant.

Learned counsel for the informant does not controvert the contention of the petitioner that the issue has been reconciled and the petitioner has transferred five dhurs of land in favour of her daughters and on that ground, the complainant is not opposing the prayer for bail of the petitioner.

Both sides agree to file appropriate application before the learned court below with regard to compromise between the parties.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or



surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XI, Motihari (East Champaran) in connection with Keshariya P.S. Case No. 155 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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