

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7791 of 2015

Arising Out of PS.Case No. -2419 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Bhim Choudhary Son of Umeshwar Choudhary, Resident of Village - Gopi
Nagar, P.S. - Kadwa, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Domani Devi D/o Hari Lal Choudhary, Resident of village – Babhni,
P.S. Dagarruwa, District – Purnea. Sasural Address - Wife of Bhim
Choudhary, Resident of Village - Gopi Nagar, P.s. - Kadwa, District -
Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Ram Naresh Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 26-02-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case in
which processes have been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A and
494 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

Statement has been made in para 12 of the petition that the petitioner has not performed second marriage whereas statement has been made in para 10 of the petition that the petitioner is ready to keep the complainant as wife with full dignity and honour.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 Sub-divisional Judicial Magistrate, Purnea in connection with C.A. Case No. 2419 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three

eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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