

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14600 of 2015

Arising Out of PS.Case No. -421 Year- 2011 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Sanjay Kumar Singh Son of Kedar Nath Singh resident of Village-
Moharrampur, P.s- Bihta, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. Juganu Sinha, D/o Sri. Om Prakash Sinha, resident of Village- Lodipur,
P.s- Shahpur, District- Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 11-05-2015 Heard learned counsels for the petitioner and the State.

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

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

Statement has been made in paragraph 17 of the petition that the petitioner has not performed second marriage.

On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and

honour. Statement to the aforesaid effect has been made in paragraph no. 16 of the petition, relevant portion of which reads as follows:

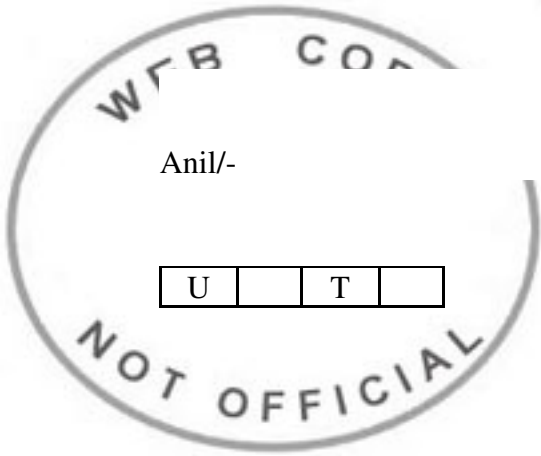
“That, the petitioner is the husband of the complainant and is ready to keep and maintain the complainant with all prestige and dignity....”

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 arrest or surrender before the learned Court below within a period of twelve 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 learned JM Ist Class, Danapur in connection with Complaint Case No. 421C of 2011 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 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 complainant deliberately gets reluctant to reconcile the issue.



Anil/-

(Dinesh Kumar Singh, J)