

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22233 of 2015

Arising Out of PS.Case No. -43 Year- 2014 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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1. Santosh Bind Son of Sri Bind Resident of Village - Madara, P.S. - Chainpur, District - Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manju Devi Wife of Santosh Bind At present - Resident of Village - Jagatpura, P.S. - Bhabua, District - Kaimur (Bhabua).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Sunil
For the Opposite Party/s : Mr. Awadhesh Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-07-2015 Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 494, 498A, 504/34 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

A statement has been made in para 13 of the petition that petitioner has not solemnized second marriage which reads as follows:-

“That the allegation of
solemnizing second marriage by the petitioner is
absolutely false and concocted.”

On instructions, it is submitted by learned counsel for the petitioner that petitioner is ready to keep the

informant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner is still ready to keep his wife i.e. the complainant/informant(victim) with full dignity and honour.....”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kaimur, Bhabua in connection with Mahila P.S. Case No. 43 of 2014.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

The provisional anticipatory bail of the petitioner shall also not be confirmed, if substantial proof comes that petitioner has performed second marriage.

Shageer/-

(Dinesh Kumar Singh, J)

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