

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25389 of 2015**

Arising Out of PS.Case No. -351 Year- 2014 Thana -SIWAN MUFFASIL District- SIWAN

=====

1. Dhananjay Kumar son of Sri Devendra Kumar Singh @ Devi Singh  
Resident of Village - Sheikhpurba, P.S. - M.H. Nagar, District - Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Archana Kumari wife of Dhananjay Kumar, Daughter of Shatrudhan  
Ojha (Advocate) At present Resident of Siwan Nai Basti Mahadeva, P.S.  
Siwan Muffasil, (Mahadeva O.P.), District - Siwan.

.... .... Opposite Party/s

=====

**Appearance :**

|                      |   |                                   |
|----------------------|---|-----------------------------------|
| For the Petitioner/s | : | Mr. Mrigank Mauli, Advocate       |
|                      |   | Mr. Bijay Prakash Singh, Advocate |
| For the State        | : | Mr. Satyendra Narayan Singh (App) |
| For O.P. No.2        | : | Mr. Ajay Kr. Pandey, Advocate     |

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      13-07-2015                      Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 323/406/498A/494/120B of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

The marriage between the petitioner and the informant is admitted fact.

Learned counsel for the petitioner submits that the petitioner has not performed second marriage, a statement to that

effect has been made in paragraph 15 of the petition which reads as follows:

*"15. That petitioner submits that he has not performed 2<sup>nd</sup> marriage as yet..."*

On instruction learned counsel for the petitioner submits that the petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 16 of the petition which reads as follows:-

*"16. ..that the petitioner is still ready to keep the informant/ informant with honour and respect..."*

Learned counsel for the informant submits that the informant accepts the offer of the petitioner.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil P.S. Case No.351 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below

on 3<sup>rd</sup> of August 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|