

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39290 of 2014

Arising Out of PS.Case No. -2675 Year- 2012 Thana -SARAN COMPLAINT CASE District-
SARAN

=====

Umesh Pandit

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Lallan Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 03-04-2015

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.

It is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour and the petitioner has not performed second marriage. Statements to that effect have been made in paragraph nos. 20 and 21 of the petition, relevant portions of which read as follows:

“.....petitioner is still ready to keep the complainant with dignity and honour if she desires to live with him.” “.....the allegation of solemnization of second marriage of the petitioner is completely false and baseless.”

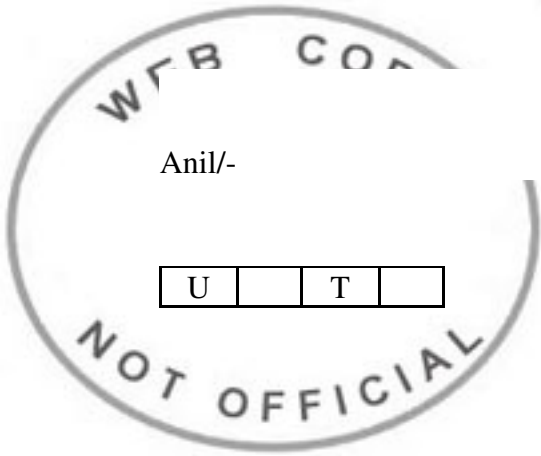
Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Saran at Chapra in connection with Complaint Case No. 2675 of 2012 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/-

U		T	
---	--	---	--

(Dinesh Kumar Singh, J)