

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12707 of 2015

Arising Out of PS.Case No. -1943 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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Supan Manjhi

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-08-2015

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 process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On submission of learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour notices were issued to opposite party no.2 vide order dated 30.03.2015. A statement to that effect has been made in para 10 of the petition which reads as follows:-

“That the petitioner being the husband is always ready to keep the complainant as his wife with full honour and dignity.”

The petitioner and opposite party no.2 are present in the

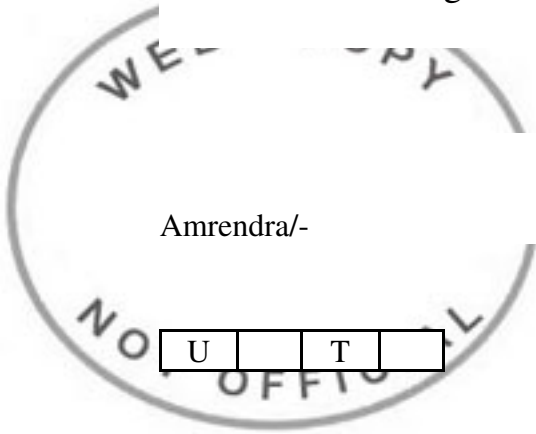
court. The petitioner stands by his stand that he is ready to keep the complainant as wife with full dignity and honour but also admits that he has performed second marriage. The complainant in spite of the fact that she is aware about the second marriage of the petitioner, she is ready to resume the conjugal life. The marriage of the petitioner and birth of two female children are admitted facts.

Both sides agree to appear before the learned court below on 24th of August, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 SDJM, Chapra, Saran in connection with Complaint Case No. 1943 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 complainant fails to

appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)