

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51970 of 2015

Arising Out of PS.Case No. -1546 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

=====

1. Sandeep Choudhary son of Rajesh Choudhary, Resident of village-
Teldiha Terasi Panchayat, Lakshmipur, P.S.- Uda Kishunganj, District-
Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Kumari wife of Sandeep Choudhary, Daughter of Late Wakil
Choudhary, Resident of village- Purikh, Pothia Tola, P.S.- Bihra,
District- Saharsa

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh
For the Opposite Party/s : Mr. Satyaverat Verma (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 26-11-2015 Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein

processes were directed to be issued after cognizance being

taken for the offences punishable under Sections 498A, 323,

494, 120B of the Indian Penal Code.

The basic accusations are of torture and
performing second marriage.

On instructions, it is submitted by learned
counsel for the petitioner that petitioner is still ready to keep
the complainant as wife with dignity and honour. A statement
to that effect has been made in para 8 of the petition. The
relevant portion of which reads as follows:-

“That it is submitted that the

petitioner is a law abiding person, and has never neglected the association of the complainant, rather he is always ready to keep her with full dignity and honour.....”

A supplementary affidavit has been filed to the effect that petitioner has not performed second marriage. A statement to that effect has been made in para 3 of the supplementary affidavit which reads as follows:-

“That by way of filing this supplementary affidavit, the petitioner is bringing on record the fact that he has not performed second marriage with anyone”

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 Judicial Magistrate, Saharsa in connection with Complaint Case No. 1546C of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant 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 complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Shageer/-

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