

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14650 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Bablu Sharma Son of Kesho Sharma

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-04-2015

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 341, 323, 504, 506, 379, 498A and 494 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

A supplementary affidavit has been filed on behalf of the petitioner wherein it has been stated at paragraphs 2 and 3 that petitioner has not performed second marriage and petitioner is ready to keep the informant as wife with full dignity and honour, paragraph nos. 3 and 4 read as follows:-

"2. That the petitioner has never solemnized second marriage.

3. That the petitioner is always ready to keep his wife with full dignity and honour."

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, Nalanda at Biharsharif in connection with Mahila P.S. Case No.70 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 27th April 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)

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