

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49022 of 2015**

Arising Out of PS.Case No. -149 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

Bambam Kumar

.... .... Petitioner/s

Versus

State of Bihar & Anr

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

**Appearance :**

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Atul Chandra(App)

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

2 15-10-2015

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 494, 498A, 307 and 302/34 of the Indian Penal Code.

The accusation is of torture and performing second marriage. It is also alleged that the petitioner attempted to kill the informant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant. The petitioner has not performed second marriage, statement to that effect has been made in para 8 of the petition. It is further submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 9 of

the petition which reads as follows:-

*“That it will not be out of place to mention here that the petitioner is still ready to keep the complainant and her daughter with full honour and regard as per his full ability.”*

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 CJM, Lakhisarai in connection with Barahiya P.S. Case No. 149 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, 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.

Amrendra/-

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**(Dinesh Kumar Singh, J)**