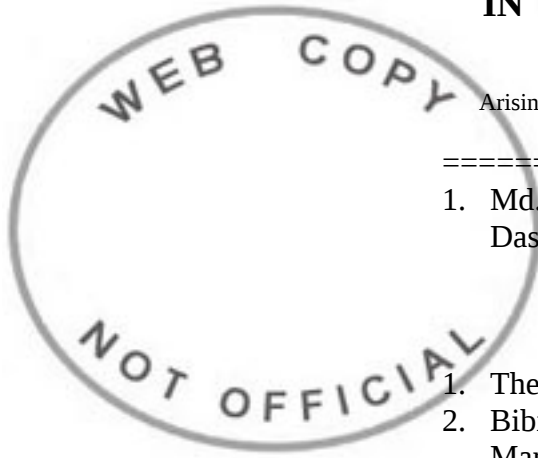




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7228 of 2015

Arising Out of PS.Case No. -1343 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

=====

1. Md. Jawed @ Md. Jabid S/o Md. Irfan Resident of Village Maranga
Daspattar, P.S. Dagarua, District Purnea (Bihar).

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Nisrat Khatoon W/o Md. Jabid D/o Md. Hanif Resident of Village
Maranga Daspattar, P.S. Dagarua, District Purnea (Bihar).

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Mritunjay Kumar
For the Opposite Parties : Mr. S.Ehteshamuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-05-2015 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 under Sections 494, 498A of the Indian

Penal Code.

The basic accusation is torture and
performing second marriage.

In pursuance to the order dated 23.02.2015
both the petitioner and the complainant are present.

The marriage between the petitioner and
complainant and birth of a male child are admitted facts.

It is submitted by learned counsel for the
petitioner that petitioner is ready to keep the complainant as

wife with full dignity and honour but admits that petitioner has performed second marriage. The complainant is not ready to accept the offer of the petitioner in view of the fact that petitioner has performed second marriage.

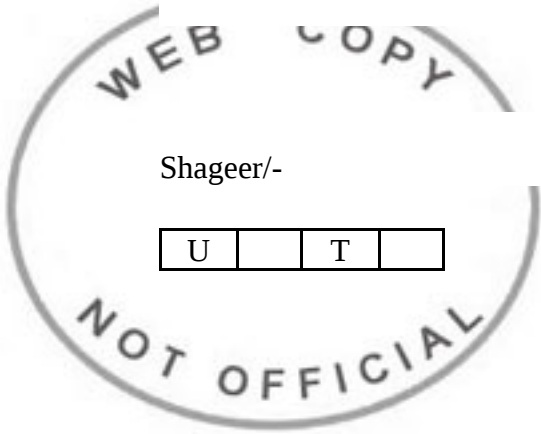
In the alternative, the petitioner is ready to make payment of Rs. 1500/- to the complainant from June, 2015, by depositing the same in the bank account of the complainant by second week of every month. The aforesaid offer is acceptable to the complainant who undertakes to supply her bank account number within a period of four weeks by submitting the same on affidavit before learned Court below.

Considering the present stand of the parties, 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 anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea in connection with Complaint Case No. 1343 of 2013.

The aforesaid payments will be subject to any order being passed in matrimonial or maintenance, or related proceeding.

Three consecutive defaults in making payment will give liberty to the complainant to file appropriate application for cancellation of bail of the petitioner.

The present order, in no way will preclude the parties to resolve the issue otherwise.



(Dinesh Kumar Singh, J)