

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31113 of 2015

Arising Out of PS.Case No. -569 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Pappu Chauhan son of Rajendra Chaushan

.... Petitioner/s

Versus

1. State of Bihar.
2. Manju Devi w/o Pappu Chauhan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. B.N.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-08-2015

Heard learned counsels for the petitioner and the State.

Petitioner being husband of the complainant is apprehending his arrest in a case registered for the offences punishable under Section 498A and 494 of the Indian Penal Code.

Accusation against the petitioner is of solemnization of another marriage and torture.

It is submitted by learned counsel for the petitioner that petitioner has not performed another marriage. A statement to that effect has been made in Para 12 which reads as follows :

“12. That the petitioner has not married to any lady but a false allegation has been alleged against the petitioner.”

It is further submitted that petitioner is ready to keep the complainant as wife and her children with full dignity and honour. A statement to that effect has been made in Para 13 of the petition which reads as follows:-

“16. That, the petitioner is ready to keep the complainant as his wife and children, but the complainant is not ready to live with the petitioner”.

Considering the aforesaid 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 Sub-Divisional Judicial Magistrate, Barh Patna in connection with Complaint Case No. 569(C) of 2013 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant and her children 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)

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