

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.292 of 2016

Arising Out of PS.Case No. -24 Year- 2015 Thana -MAHILA PS District- KATIHAR

Sk. Nabi

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Damodar Pd.Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 01-02-2016

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

The basic accusation is of torture and performing second marriage.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant, though, the informant is the second wife of the petitioner and the first wife of the petitioner died. 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 16 of the petition which reads as follows:-

“That the petitioner is ready to keep her with full dignity and respect.”

The petitioner and the informant are present in the court. Though, the petitioner has performed third marriage, even then the informant is ready to accept the offer of the petitioner if the petitioner keeps her and her three children with dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail 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, Katihar in connection with Katihar Mahila P.S. Case No. 24 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The informant will be at liberty to file an application for cancellation of bail of the petitioner if the petitioner violates the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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