

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14550 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -MAHILA PS District- GAYA

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Dharmendra Yadav son of Late Suresh Yadav

.... Petitioner/s

Versus

1. The State of Bihar.

2. Guriya Devi W/o Dharmendra Yadav, D/o Punpun Prasad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Jitendra Kr. Roy No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 05-04-2016

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, 494, 323, 341/34 of the Indian Penal Code.

Basic accusation is of torture and performing second marriage.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 5 of the supplementary affidavit which reads as follows:-

"That the petitioner is still ready to keep her (wife)

with full dignity and manner....."

Learned counsel for the petitioner further submits that the petitioner denies the factum of second marriage. A statement to that effect has been made in paragraph 4 of the supplementary affidavit, which reads as follows :-

"That it is further submitted the petitioner has not got 2nd marriage with another girl....."

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 ACJM-I, Gaya, in connection with Mahila P.S. Case No.10/2016 , 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.



Ashwini/-

(Dinesh Kumar Singh, J)

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