

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33308 of 2016**

Arising Out of PS.Case No. -44 Year- 2016 Thana -MAHILA PS District- KATIHAR

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Jyotish Kumar Das S/o Anil Das R/O Raghunathpur Kewala, P.S.-  
Amdabad, Distt.- Katihar

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Pooja Devi W/o Jyotish Kumar Das R/o Santosh Das, R/O Sakrali, P.S.-  
Dandkhora, Distt.- Katihar

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

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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

2      10-08-2016                      Heard learned counsels for the petitioner, informant  
and the State.

The petitioner being the husband of the informant  
is languishing in custody since 10.04.2016 in a case registered  
for the offences punishable under sections 498A, 494, 323, 120B,  
504 and 506 of the Indian Penal Code.

Basic accusation is of torture for non-fulfillment of  
dowry demand and performing second marriage.

It is submitted by learned counsel for the petitioner  
that the petitioner admits his marriage with the informant but  
also admits performing of second marriage with one Puja Bharti.  
A statement to that effect has been made in paragraph no. 11 of

the petition, which reads as under :-

*"That it is submitted here that from the bare perusal of the evidences available on record itself appears that the petitioner solemnized the 2<sup>nd</sup> marriage with one Puja Bharti with the consent of the informant."*

It is further submitted that the petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in paragraph no.13 of the petition, which reads as under :-

*"... where he is always ready to keep her with full dignity and honour."*

It is submitted by learned counsel for the informant that since the petitioner has performed second marriage, the informant is not ready to resume the conjugal life. However, the informant is ready to reconcile the issue in terms of permanent alimony on dissolution of marriage since the petitioner has already filed Matrimonial Suit No.544/2013 with a prayer for divorce.

Learned counsel for the petitioner submits that the petitioner is ready to accept the offer of the informant.

Considering the present stand of the parties, let the above named petitioner be released on bail provisionally for four

months, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Katihar, in connection with Katihar Mahila P.S. Case No.44/2016.

Both sides agreed to appear before the learned Court below to reconcile the issue. The provisional bail of the petitioner will be confirmed by the learned Court below in the event of issue being reconciled between the parties.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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