

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37435 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -MAHILA P.S. District- BANKA

=====

Lalit Narayan Singh @ Lalan Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Brajendra Nath Pandey

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-08-2016

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 offence punishable under Sections 498A,494,341,323,504 and 506/34 of the Indian Penal Code.

The basic accusation is of torture and performance of second marriage.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour and the petitioner has not performed second marriage. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

“ That petitioner is always ready to keep his wife with

full dignity and owner but she not want to live with the petitioner.

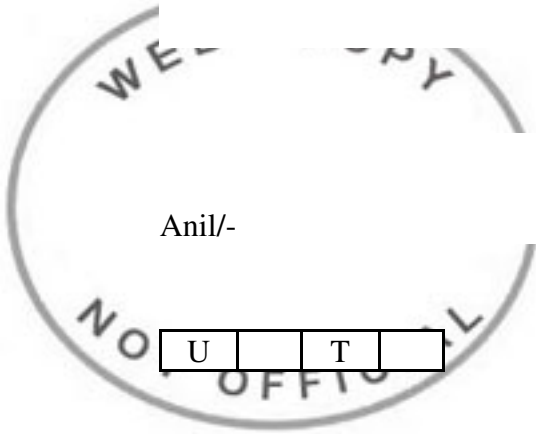
The petitioner not re-married with any girl.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Banka in connection with Banka (Mahila) P.S. Case No. 29 of 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 and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue but the provisional anticipatory bail of the petitioner will not be confirmed if substantial proof comes that the petitioner has performed second marriage and in that event the petitioner will

surrender and pray for regular bail.



Anil/-

U		T	
---	--	---	--

(Dinesh Kumar Singh, J)