

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44192 of 2013

Arising Out of PS.Case No. -228 Year- 2013 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Adalat @ Adalat Manjhi, son of Shivji Manjhi, resident of Village-Indarwa,
P.S.-Bankata, Distt.- Deoriya (U.P.)

.... Petitioner/s

Versus

1. State of Bihar.
2. Maya Devi, wife of Adalat Manjhi, D/O Mahanth Manjhi, resident of
Village-Chhotka Manjha, P.S.-Mairwa, District-Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar, Advocate
For the S t a t e : Ms. Gulnar Begum 1(APP)
For O.P. No.2 : Mr. Ramadhar Shekhar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

10 14-09-2016 Heard learned counsel for the petitioner and the

learned counsel for O.P. No.2 as well as the learned counsel
appearing on behalf of the State.

The petitioner along with O.P. No.2 and their children
are present in Chambers today.

It appears that at present the parties are living together
and the petitioner is giving some amount of sustenance by way
of food grains to O.P. No.2 and she is also living in his house.
However, O.P. No.2 submits that despite the same, she is being
continuously tortured and she is not permitted to associate with
her children and lead a normal family life. She is also secluded
from other members of the family which is causing severe

mental torture to her. Another woman is also present in the house, who, it is stated, is the second wife of the petitioner. Such circumstances do not entitle the petitioner to anticipatory bail.

However, after hearing all the parties and considering the fact that the petitioner is undertaking to honour his earlier commitment and keep the O.P. No.2 with all honour and dignity and also to treat her as his first wife, it would be appropriate in the interest of justice to permit him to improve on his own relation and take all possible efforts to restore normalcy in their family life. The sons of the petitioner are also present in person and as per their statements, they are also leading a normal family life with their parents.

As such, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan, in connection with Complaint Case No.228 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is, however, made clear that if there is an untoward incident leading to disharmony and/or mental torture, it will be open to O.P. No.2 to approach this Court for modification of this order and/or cancellation of his bail.

(Anjana Mishra, J)

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