

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24982 of 2016

Arising Out of Complaint Case No. -587 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Jay Ram Kunwar @ Sonu @ Jay Ram Kumar, S/o Sri Shiv Kishore Kunwar
@ Shiv Kishore Singh

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priti Devi, W/o Jay Ram Kunwar @ Sonu

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Ajay Kr.-2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-06-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation for the offences punishable under Sections 498A/307/379/406/380/494 of the Indian Penal Code wherein process has been directed to be issued after cognizance being taken.

The accusation is of torture and performing second marriage.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and has not performed second marriage. A statement to that effect has been made in paragraph 5 of the petition, which reads as follows :-

"That the allegation levelled against the petitioner that he has married to another lady as Neha Kumari is totally wrong and baseless."

A further statement has been made in paragraph 9 of the petition that the petitioner is ready to keep the complainant as wife with full dignity and honour, which reads as follows:-

"That petitioner is always ready to keep the complainant as wife with full love and dignity."

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 SDJM, Barh, in connection with Complaint Case No.587 C/2014 , subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant 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 complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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