

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54430 of 2015

Arising Out of PS.Case No. -90 Year- 2015 Thana -MANSAHI District- KATIHAR

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1. Ganga Ram Mandal @ Mangan Mandal S/o- late Ashin Mandal
2. Shanta Devi @ Simla Devi W/o- Ganga Ram Mandal @ Mangan Mandal
Both are R/o- Pakaria, P.S.- Mansahi, Distt- Katihar

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sumitra Devi W/o- Ganga Ram Mandal @Mangan Mandal, R/o- Pakaria,
P.S.- Mansahi, 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. Dilip Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 21-07-2016 Heard learned counsel for the petitioners and the State.

Petitioner no. 1 being the husband of the informant, petitioner no. 2 is second wife of petitioner no. 1 are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 494, 498A of the Indian Penal Code.

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

It is submitted by the learned counsel for the petitioners that the petitioner no. 1 admits his marriage with the informant and birth of a female child. It is further

submitted that the second marriage was performed about 15 years ago and the petitioner is ready to keep the informant and child as wife with due dignity and honour.

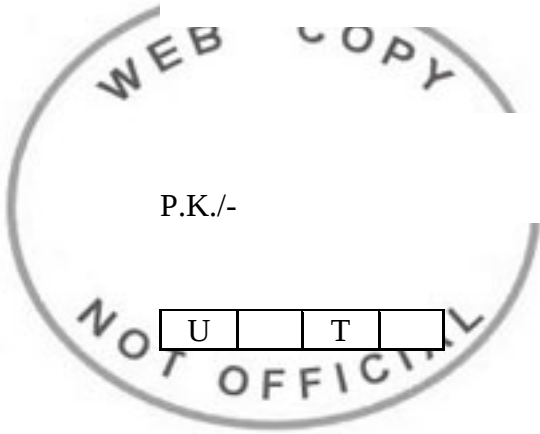
However, learned counsel for the informant submits that the informant is not ready to reside with the petitioner since he has performed second marriage and use to torture the informant.

Considering the nature of accusation and the fact that the petitioner has performed second marriage which itself amounts to torture, let the learned court below consider the prayer for regular bail of the above named petitioner no.1, if the petitioner no. 1 surrenders before the learned court below within a period of six weeks from today in connection with Mansahi P.S. Case No. 90 of 2015, pending in the court of learned Sri U.K. Mishra, A.C.J.M., Katihar.

It is submitted that the petitioner no. 2 is concerned, she was not aware about the second marriage of the petitioner no. 1.

Considering the thrust of accusation against petitioner no. 1, let the above named petitioner no. 2 be released on bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri U.K. Mishra, A.C.J.M., Katihar in connection with

Mansahi P.S. Case No. 90 of 2015, subject to conditions as laid
down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)