

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58492 of 2015**

Arising Out of PS.Case No. -47 Year- 2013 Thana -MAHILA PS District- JAMUI

1. Lokan Yadav S/O Rajendra Yadav Resident of Village - Mohgay , Police Station - Sono , District - Jamui.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Amrendra Kumar, Adv

For the Opposite Party/s : Mr. Anil Pd.Singh(App)

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

2 04-01-2016

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 offences punishable under Sections 323, 341, 498A and 494 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture and performance of second marriage.

Learned counsel for the petitioner submits that the petitioner denies to have performed second marriage. A statement to that effect has been made in para 15 of the petition which reads as follows:-

*"That the petitioner has not remarried with the another women. The mischief monger of his village has falsely told to the informant that he has remarried with another women."*

Learned counsel for the petitioner further submits that the petitioner is still ready to keep her with full dignity and honour. A statement to that effect has been made in para 14 of the petition which reads as follows:-

*"That the petitioner is ready to keep her as legal wedded wife with full dignity and honour."*

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 SDJM, Jamui in connection with Jamui Mahila P.S. Case No. 47 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. 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 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. The provisional bail of the petitioner will not be confirmed by the learned Court below if substantial proof comes that the petitioner has performed second marriage.

(Dinesh Kumar Singh, J)

Ranjan/-

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