

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37609 of 2016

Arising Out of PS.Case No. -153 Year- 2016 Thana -GARKHA District- SARAN

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Ajit Ram S/o Supan Ram resident of Village- Bagahi, P.S. Garkha, Distt-Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rina Devi D/o Dina Nath Ram W/o Ajit Ram resident of Village-Bagahi, P.S Garkha, Distt. Saran at Chapra at present Village- Mahmda, P.S.Garkha Distt.- Saran at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kumari

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 02-02-2017

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A and 494 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full



dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:-

“That the petitioner still ready keep to the informant with honour and dignity.”

It is further submitted that the petitioner has not performed second marriage. Statement to that effect has been made in paragraph 2 of the supplementary affidavit, which reads as follows:-

“That allegation against the petitioner he has solemnised the second marriage with Lakshmi Devi which is wrong.”

The notices were issued to the informant vide order dated 30.08.2016. The office note dated 02.12.2016 reflects that the house service was effected on her refusal to received notice as a result vide order dated 05.12.2016 the notices issued to the informant-opposite party no. 2 were treated to be deemed valid service. None is appearing on behalf of the informant-opposite party no. 2.

Considering the present stand of the petitioner as elaborated above, let the above named petitioner be released on anticipatory bail, in the event of his 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 Chief Judicial Magistrate, Saran at Chapra in connection with Garkha P.S. Case No. 153 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the informant appears before the learned court below and files such an application for resuming the conjugal life then the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

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