

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7046 of 2019

Arising Out of PS. Case No.-110 Year-2018 Thana- SAKRI District- Madhubani

Md. Akbar @ Akbar Nadaf, (male), aged about 35 years, Son of Md. Islam Nadaf @ Md. Islam @ Islam, Resident of Village-Belam, P.S-Sakri, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-02-2019 Learned counsel for the petitioner is permitted to make necessary correction in the petition.

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 341, 323, 494, 498A, 504 and 506 of the IPC.

The prosecution case, as per the fardbeyan of Najida Khatun, recorded by S.I., D.K. Singh, on 19.05.2018 is to the effect that on 18.05.2018 at 11.30 P.M., when the husband of the informant came home then the informant enquired about second marriage being performed by him. Subsequently, the petitioner



assaulted the informant and thereafter the informant went to her parents' house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph no. 8 of the petition, relevant portion of the same reads as follows:-

“That the petitioner is still ready to keep her as a wife with full dignity and honour”

It is further submitted that the informant has also filed Complaint Case No. 335 of 2018, wherein cognizance has been taken only under Section 498A IPC and not under Section 494 IPC. The petitioner has not performed second marriage, though, statement to that has not been made in the petition.

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/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 like amount each to the satisfaction of learned CJM, Madhubani in connection with Sakri P.S. Case No. 110 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.



Let the learned Court below issue notice to the informant and 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 the learned Court below in three eventualities, (i) if the conjugal life substantially resumes, or (ii) if the informant fails to appear before the learned Court below, or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

