

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48275 of 2019**

Arising Out of PS. Case No.-131 Year-2017 Thana- ROSHANGANJ District- Gaya

RAJIV RANJAN SINGH @ RAJU KUMAR Son of Tapeswar Singh
Resident of Village - Kathautia, P.S.- Dumariya, Dist.- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Punam Kumari D/o Rambali Prasad @ Sanjay Kumar Resident of Village -
Saisganj, Tola- Pachmahala, P.S.- Banke Bazar, Dist.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Saxena
For the Opposite Party/s : Mr.Binod Kumar

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

2 02-08-2019 Heard learned counsels for the parties.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under sections 498A and 494 of the IPC and Sections 3 and 4 of Dowry Prohibition Act.

The prosecution case is that the marriage of the informant with the petitioner was performed on 2.6.2011 but subsequent to the marriage, torture was inflicted upon the informant. It is further alleged that the petitioner has performed 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 her as wife with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition which reads as follows:

“That the petitioner is ready to keep his legally wedded wife with dignity and honour but complainant itself not wants to reside with her husband and wrongly made allegation against the petitioner that he has illicit relation with his Bhabhi, it is totally wrong and fabricated.”

It is further submitted that the petitioner has not performed second marriage though no statement to that effect has been made in the petition. It is also submitted that the petitioner filed Matrimonial Title Suit No. 329 of 2012 which has been decreed by the learned Principal Judge, Family Court, Gaya vide judgment dated 28.4.2016.

Learned counsel for the informant submits that the informant is ready to accept the present offer of the petitioner.

Considering the present stand of the petitioner, let the petitioner above named be released on provisional anticipatory bail for six months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sherghati at Gaya



in connection with Roushanganj (Banke Bazar) P.S. Case No. 131 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities - (I) if the matrimonial harmony is substantially restored, or (ii) if the informant fails to appear before the learned court below, or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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