

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60855 of 2019

Arising Out of PS. Case No.-1297 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. ARVIND SINGH @ ARBIND KUMAR SINGH S/o Late Sudista Narayan Singh R/o village- Ijorwara, P.S.- Fenhara, District- East Champaran
 2. Sundarmala Kumari @ Murti Devi W/o Arvind Singh @ Arvind Kumar Singh R/o village- Ijorwara, P.S.- Fenhara, District- East Champaran
- Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
 2. Madhu Devi W/o Arvind Singh @ Arbind Kumar Singh , D/o Devendra Singh Presently resident of village- Barahai Chintaman, P.S.- Majorganj, District- Sitamarhi
- Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rakesh Kumar No.1 Mr. Madhav Jha
For the Opposite Party/s :		Mr.Gauri Shankar Gupta Mr. Shakar Kumar Mr. Rakesh Ambastha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 13-12-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Complaint case no.1297 of 2018 , registered for offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the D.P.Act.

As per the complaint case, allegation against the petitioner is that he solemnized another marriage in the year, 2010 and subjected her to cruelty. Petitioner no.1 is husband and the petitioner no.2 is the second wife of the husband of the complainant. It is submitted behalf of the petitioner that the second marriage was solemnized with the consent of the complainant but thereafter on advice of others, the present



case has been filed. She was residing with him earlier and he is still ready to keep her with dignity and care.

On the other hand the learned counsel for the O.P.no.2 has opposed the prayer for bail on the ground that as he has married with another lady, it is not possible for her to reside with him and he is not even paying any maintenance but he has admitted that she has not filed any maintenance case against the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Sadar, Sitamarhi in connection with Complaint Case No.C 1297 of 2018 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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