

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59554 of 2019

Arising Out of PS. Case No.-39 Year-2018 Thana- MAHILA P.S. District- Rohtas

SURAJ KUMAR Son of Sakaldeep Singh Resident of Village - Samhuta,
P.S.- Kachchhawa, District - Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mrs. Kunti Devi, wife of Suraj Kumar, daughter of Madan Singh, resident of village Amatarh, P.O. Karmaini, P.S. Sajauli, Distt. Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Anuj
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

9 25-06-2020 Heard learned counsel appearing on behalf of the
petitioner, State and the opposite party No. 2.

The petitioner is apprehending arrest in connection with Rohtas Mahila P.S. Case No. 39 of 2018 for the offences under Sections 498(A), 494, 341, 323, 504/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Learned counsel appearing on behalf of the petitioner on instruction, submits that the petitioner has not solemnized second marriage and he is ready to keep his wife with full honour and dignity. However, learned counsel for the opposite party No. 2 submits that the petitioner has solemnized second marriage.

Considering the aforesaid, the Court is inclined to



grant conditional anticipatory bail to the petitioner.

Let the petitioner above named, in the event of arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs.50,000/- (Fifty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Rohtas, Sasaram, in connection with Rohtas Mahila P.S. Case No. 39 of 2018 subject to the conditions as laid down under Section 438 (2) Cr. P.C.

The court below is directed to ascertain whether the petitioner has solemnized second marriage or not. The opposite party No. 2 shall be at liberty to produce relevant materials before the court below with regard to the second marriage and in the event the petitioner is found to have solemnized second marriage, the court below shall not release the petitioner and refuse his bail bonds.

With the aforesaid directions, this application stands disposed of.

(Anil Kumar Upadhyay, J)

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