

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75166 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- MAHILA PS District- East Champaran

Amarnath Kumar Son of Vishwanath Paswan Resident of Village- Manpurwa,
P.S.- Madhuban, District- East Champaran, Present Resident of Mohalla- New
Professor Colony, Bara Chakiya, P.S.- Chakiya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rakesh Kumar No.1, Adv.
For the Informant	:	Mr. Anil Kumar, Adv.
For the State	:	Mrs.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 30.08.2019, has preferred the present application for grant of bail in a case registered for the offences punishable under Sections 341, 323, 506 and 498A of the IPC.

The prosecution case, as per the written report of Renu Kumari submitted to the S.H.O., Motihari Mahila Police Station is to the effect that the informant was married with the petitioner in the year 2001 and the thereafter they were blessed with two children, but subsequently, the petitioner developed



some intimacy with another lady and started ignoring the informant and on protest being made by the informant, the petitioner tortured her.

It appears that vide order dated 25.11.2019, a Co-ordinate bench of this Court issued notice to the informant when the petitioner was granted provisional bail.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and now the informant is residing with the petitioner. A statement has been made in paragraph no. 6 of the petition that the petitioner is ready to keep the informant as wife with full dignity and honour, which reads as follows:-

“That the petitioner is the husband and he is ready to keep the informant as wife with full dignity and honour.”

Learned counsel for the informant submits that since the petitioner has developed intimacy with another lady, hence he is not taking care of the informant, however, she does not controvert the fact that at present, she is residing with the petitioner.

Considering the fact that the issue is in process of being resolved, the petitioner was granted provisional bail about six months ago, but there is no question of misusing the



privilege of bail and present stand of the parties, the provisional bail granted to the petitioner, vide order dated 25.11.2019 is hereby confirmed.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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

