

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73986 of 2019

Arising Out of PS. Case No.-47 Year-2019 Thana- MAHILA P.S. District- Muzaffarpur

Sushil Kumar S/O- Nawal Kishore Choudhary Resident of Village - Supna,
P.S.- Sariya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 07-02-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by the office when called upon to do so by the office.

The petitioner is apprehending his arrest in a complaint case wherein cognizance has been taken for the offences punishable under Sections 498(A), 494, 323, 504, 506/34 of the Indian Penal Code.

The basic accusation is of torture and



performing second marriage.

It is submitted by learned counsel for the petitioner that the marriage of the petitioner with the informant was solemnized in the year 2004 and the allegation against the petitioner of performing second marriage is false and concocted as the petitioner has not performed second marriage. A statement to that effect has been made in para 11 of the petition. It is further submitted that the informant herself has filed Matrimonial Suit No. 422 of 2019 for dissolution of marriage. The petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 13 of the petition.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Mahila P.S. Case No. 47 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the informant wishes to reside with the petitioner, she will file a petition before learned Court below when it is expected from the learned Court below to issue notice to the petitioner for his appearance before learned court below. On appearance, the petitioner will be under an obligation comply the undertaking given before this Court and will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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