

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34757 of 2023

Arising Out of PS. Case No.-26 Year-2021 Thana- BATH District- Bhagalpur

SONU KUMAR @ SONU MANDAL Son of Bishundev Mandal Resident of
village - Daulatpur, P.S. - Bath, Distt. - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shabnam Kumari W/o Sonu Kumar @ Sonu Mandal, D/o Vishundeo
Mandal R/o vill - Bariyarpur, P.O. - Bariyarpur, Distt. - Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-11-2023

Heard learned counsel for the parties.

2. Notice has been issued to O.P. No. 2 and has
validly been served upon O.P. No. 2, but nobody appeared on
behalf of O.P. No. 2.

3. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 494,
498(A) of the Indian Penal Code.

4. Allegation against the petitioner is that he has
solemnized second marriage with a widow lady and is keeping
her in his house.

5. Learned counsel for the petitioner submits that
the petitioner is an innocent person and has committed no



offence. He submits that the O.P. No. 2 is habitual of leaving the house of the petitioner without any rhyme and reason after creating nuisance and misbehaving with the parents of the petitioner. He submits that when the O.P. No. 2 is not ready to come back to her sasural and also not ready to live with the petitioner, then having no option left with the petitioner, petitioner solemnized second marriage for caring and looking after his old ailing parents. The petitioner is still ready to keep O.P. No. 2 with full honour and dignity. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. In that view of the matter, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bath P.S. Case No. 26 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C..

7. If so advised, either of the parties will be at liberty to make an application before the learned Court below for referring the matter to the District Mediation Center for the



purpose of reconciliation or one time settlement.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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