

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72549 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- MAHILA PS District- Jamui

Aditya Anand Son Of Avinash Arun @ Arun Paswan R/O Village- Bochahi,
P.S.- Muffasil, District- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjula Kumari Wife of Aditya Anand, D/O Natho Paswan R/O Village-
Sirchand Nawada, P.S.- Jamui, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Advocate.
For the Informant	:	Mr. Vikramaditya, Advocate,
For the Opposite Party/s	:	Mr. Veena Kumari Jaiswal, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-04-2023 Heard Mr. Santosh Kumar, learned counsel for the
petitioner and learned APP for the State.

Petitioner is apprehending his arrest in connection with Jamui Mahila P.S. Case No.57 of 2021, for the offences registered under Sections 498A, 323, 504, 506 and 494/34 of the Indian Penal Code.

The allegation against the petitioner, who happens to be husband, is of torture and solemnization of second marriage with another women during the subsistence of his first marriage.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is having a small mobile shop,



whereas the informant is a teacher in a middle school, and she has not been living with the petitioner for the last three years, which resulted into filling of a divorce case, being Matrimonial (Divorce) Suit Case No. 84 of 2021 in the Court of learned Principal Judge, Family Court, Jamui on 23.06.2021, on the ground of desertion. The present FIR has been instituted on 30.12.2021 after having come to know about the filing of the divorce case.

On the other hand, learned counsel for the informant vehemently opposes the bail application and submits that from the FIR, it is evident that the petitioner has solemnized second marriage and when the same was protested by the informant she was brutally assaulted by the petitioner, however, still she desires to live peacefully with the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the fact that a divorce case is going on between the parties which is earlier on the point of time, coupled with the fair antecedent, let the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with



two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Jamui in connection with Jamui Mahila P.S. Case No.57 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Harish Kumar, J)

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