

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70739 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- PALASI District- Araria

Somnath Manjhi Son of Mayanand Manjhi Resident of Village- Kankhudia
(Dhantola), Ward No. 04, Police Station- Palasi, District-Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ruby Devi D/O- Keshav Manjhi, Wife of Somnath Manjhi Resident of
Village- Maldwar, P.S.- Palasi, Distt.- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 05-03-2025 In pursuance to the earlier order dated 10.02.2025,

both the parties appeared with their respective counsels in

chamber proceeding.

2. Heard the parties.

3. The petitioner is apprehending his arrest in

connection with Palasi P. S. Case No. 40 of 2024 for the offence

under Sections 341, 323, 498A, 494, 504, 506 and 34 of the

I.P.C.

4. It is a case of matrimonial dispute between the

parties. Petitioner – Somnath Manjhi is the husband of opposite

party no. 2 – Ruby Devi (informant). Allegation against the

petitioner and his family members is of torturing, assaulting and



ousting the informant from her matrimonial house due to non-fulfillment of dowry demand.

5. Learned counsel for the petitioner submits that petitioner is quite innocent, committed no offence and has been falsely implicated in this case. There is general and omnibus allegation against the F.I.R. named accused persons including the petitioner for dowry demand and torture. Petitioner has never demanded any dowry from the informant and for that never tortured her. He further submits that petitioner is ready to keep her with full dignity and regard without any grievance.

6. Learned APP opposes the prayer of anticipatory bail.

7. During course of argument learned counsel for the petitioner submits that petitioner is ready to keep his wife (informant) with full honour and dignity. This fact prima-facie shows the bona-fide conduct of the petitioner, but opposite party no. 2 (informant) is not ready to live with petitioner because as per her (informant) submission the petitioner has solemnized second marriage with Kajal Kumari.

8. Keeping in view the aforesaid facts and considering the bona-fide conduct of petitioner, let the petitioner be enlarged on **bail provisionally** subject to verification of this fact that



whether the petitioner has solemnized his second marriage with Kajal Kumari or not. In this regard petitioner will take an affidavit before the Trial Court. In the meantime he will be enlarged on bail provisionally in the event of arrest or surrender within a period of four weeks from the receipt/production of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria in connection with Palasi P. S. Case No. 40 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. After verification, if petitioner is found to have solemnized second marriage the informant will be at liberty to file petition for cancellation for his bail.

(S. B. Pd. Singh, J)

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