

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44495 of 2015

Arising Out of PS.Case No. -43 Year- 2014 Thana -MAHILA P.S. District- SAHARSA

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1. Dinanath Sah @ Vicky Sah son of Ramanand Sah Resident of village - Mahisarho, P.S. Mahishi, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Naresh Chandra Verma
For the State : Mr. Ajit Kumar (App)
For the informant Mr. Subhash Sharma

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

02/ 29.09.2015 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State and also heard learned counsel for the informant.

Petitioner is languishing in jail custody since 11.7.2015 in a case registered under sections 498A, 494, 313 of the Indian Penal Code and section 3/ 4 of the D.P. Act.

Petitioner happens to be husband of the informant and marriage of the petitioner was solemnized on 13.8.2012 but subsequently, dispute arose between the parties and allegedly, petitioner not only got aborted the pregnancy of the informant but also ousted her from her matrimonial home and allegedly, solemnized second marriage.

Learned counsel appearing for the petitioner submits that the petitioner has not solemnized his second marriage and the

aforesaid fact has specifically been denied by the petitioner at para 8 of this petition and so far as accusation of miscarriage is concerned, there is no document to prove the aforesaid fact.

Learned counsel appearing for the informant opposes the prayer.

It would appear from perusal of the impugned order that the informant refused to lead her conjugal life with the petitioner on the ground that the petitioner has solemnized his second marriage.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Saharsa in Saharsa Mahila P.S. Case no. 43/2014.

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(Hemant Kumar Srivastava,J)

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