

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33 of 2015

Arising Out of PS.Case No. -196 Year- 2011 Thana -OBRA District- AURANGABAD

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Satyendra Singh son of Kapil Singh, resident of Village-Adhaura, P.S.-
Obra, District-Aurangabad

.... Petitioner

Versus

1. The State of Bihar
2. Sunita Devi, daughter of Rajeshwar Singh, resident of Village-Basti
Bigha, P.S.-Rampur Ohauram, District-Arwal(Bihar

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ashok Kumar

For the Opposite Parties : Mr. Anish Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-03-2015

The petitioner has preferred second anticipatory bail application in a case registered for the offences under Section 498A of the I.P.C and Section 3/4 of the Dowry Prohibition Act on the ground that daughter of the informant has performed second marriage.

The petitioner was granted provisional anticipatory bail for one year vide order dated 05.04.2013 passed in Cr. Misc. No. 8618 of 2013 on submission of the petitioner to keep the daughter of the informant as wife with full dignity and honour. The provisional bail was to be confirmed by learned Court below on substantial restoration of matrimonial harmony within a period of one year or if the daughter of the informant deliberately refuses to reside with the petitioner.

It is submitted by learned counsel for the petitioner that the matrimonial harmony could not be restored

since the daughter of the informant has performed second marriage with one Bangali Singh Yadav.

This Court is not inclined to entertain the second anticipatory bail application. However the aforesaid facts may constitute a ground for consideration of regular bail.

Let learned Court below consider the prayer for regular bail of the petitioner without being prejudiced by the order of this Court, if the petitioner surrenders within a period of four weeks and pray for regular bail in connection with Obra P.S. Case No. 196 of 2011, pending in the Court of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad.

Accordingly the application is disposed off.

(Dinesh Kumar Singh, J)

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