

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23210 of 2015

Arising Out of PS.Case No. -11 Year- 2014 Thana -MAHILA P.S. District- SARAN

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1. Pankaj Kumar Son of Akhileshwar Kunwar Resident of Khajuri, P.S. Masrakh, District - Saran at Present Ram Pur Noon Nagar, P.S. Jalalpur, District - Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi Wife of Pankaj Kumar D/o Madan Mohan Pandey C/o Ram Naresh Singh, Resident of Rampur Noon Nagar, P.S. Jalalpur, District - Chapra (Saran)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 08-12-2015 Heard learned counsel for the petitioner and learned counsel for the opposite party no. 2.

The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 11 of 2014 registered on the basis of Complaint Case No. 89 of 2014 for the offence registered under Sections 113, 301, 307, 322, 328, 347, 349, 448, 498A/149 of the Indian Penal Code.

The petitioner as well as the opposite party no. 2 is present in person in pursuance of the order dated 10.11.2015. On the said date learned counsel for the petitioner has submitted that both the parties are willing and ready to live with each other. The

petitioner has also made a statement on affidavit in the said direction. However, today after interaction with the petitioner, the petitioner has categorically stated that from day one of the marriage, he was unwilling to live with the opposite party no. 2 and the marriage had taken place at the instance of maternal grand father and mother.

On the other hand, Opposite party no. 2 is willing and ready to live with her husband in all conditions. However, this Court, on noticing the recalcitrant attitude of the petitioner and his unwillingness to carry the matrimonial relation with the opposite party no. 2, is not inclined to send the girl to her matrimonial home as she would not be well there.

Considering the aforesaid facts and circumstances of the case and the recalcitrant attitude of the petitioner, the interim order passed in favour of the petitioner vide order dated 10.11.2015 stands withdrawn and the prayer for anticipatory bail of the petitioner is rejected.

(Anjana Mishra, J)

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