

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32806 of 2014

Arising Out of PS.Case No. -2131 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Pankaj Kumar Son of Batau Paswan Resident of village - Birpur, P.S.
Birpur, District - Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party/s : Mr. Shailendra Kr. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 20-02-2015

Heard both sides.

The petitioner apprehends his arrest in a case registered under Section 498(A) and other sections of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The complainant-wife made allegations against the petitioner that she was married to the petitioner in the year 2008 and she got two children, but her husband, after getting job in the Police department, subjected her to all sorts of physical and mental torture.

Learned counsel for the petitioner submits that the petitioner was ready to keep his wife, but his wife filed several petitions before the authorities making different sorts of allegations. The allegations were enquired into and all the allegations were found false. Now the petitioner has filed Divorce

Case, being Matrimonial Case No. 508/2012. Thereafter, the wife filed this complaint case on 11.09.2012.

Learned counsel for the complainant, on the other hand, while opposing the bail, submits that the wife is still ready to live with the petitioner. She has also got the two children.

It appears from perusal of the record that prior to filing of the matrimonial case, the complainant was subjected to all sorts of torture and thereafter the petitioner filed the divorce case. The divorce case is still pending. The complainant made allegation that after her husband got the job in the Police Department, he is intending to solemnize second marriage leaving in lurch the complainant and her two children.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Complaint Case No. 2131C of 2012. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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