

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32756 of 2015

Arising Out of PS.Case No. -827 Year- 2010 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Anil Thakur Son of Janardan Thakur, resident of village - Oriyap, P.S. -
Antichak, Kahalgaon, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Buchchi Devi, Wife of Anil Thakur, residence of village - Makrandpur,
P.S. - Pirpanti, District - Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Gupta

For the Opposite Party/s : Mr. Dilip Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 23-11-2015

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein processes were directed to be issued after cognizance
being taken for the offences punishable under Sections 498A and
494 of the Indian Penal Code.

The basic accusation is of torture and
performing second marriage.

In spite of valid service of notice, none is
appearing on behalf of opposite party no. 2.

It is submitted by learned counsel for the

petitioner that since there was no issue with the complainant, hence, with the approval of the complainant the petitioner performed second marriage and when the child was born from the second marriage then the present complaint has been filed. It is further submitted that the petitioner is still ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 7 of the petition, which reads as follows:- “That it is submitted that the petitioner is ready to keep the complainant giving all due regards and facilities what she deserves as wife.”

The aforesaid facts constitute ground for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 827 of 2010 pending in the court of learned Sub-divisional Judicial Magistrate, Bhagalpur.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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