

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56009 of 2015

Arising Out of PS.Case No. -128 Year- 2008 Thana -COMPLAINT CASE District- SUPAUL

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1. Bijendra Mukhiya Son of Nunu Lal Mukhiya Resident of Village Duania,
P.s Pratapganj, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi Wife of Bijendra Mukhiya, Daughter of Jageshwar Mukhiya
Village- Shripur, p.s Pratapganj, District Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Satyendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 09-12-2015 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a complaint

case wherein process has been directed to be issued after

cognizance being taken under section 498A of the Indian Penal

Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner

that the petitioner admits marriage with the complainant and is

ready to kept her. Statement to that effect has been made in

paragraph 9 of the petition relevant portion of which reads as

follows;

“.....the petitioner is neither having any illicit relationship with any one nor is planning to solemnize another marriage, rather is still ready to keep his wife with full honour and dignity, if she so desires.”

In view of the fact that the complaint was filed in 2008 and process under section 82 Cr.P.C. has already been issued, this court is not inclined to consider prayer for anticipatory bail. However, considering the present stand of the petitioner, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Complaint Case No. 128 of 2008 pending in the court of learned SDJM, Birpur.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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