

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14117 of 2015

Arising Out of PS.Case No. -1803 Year- 2012 Thana -SARAN COMPLAINT CASE District-
SARAN

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Krishna Mahto Son of Late Puran Mahto, Resident of village- and Post
Office- Jai Chapra, Police Station- Manjhi, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. Malti Devi, Wife of Krishna Mahto, presently wife of Lal Babu Mahto,
daughter of Lal Mohar Mahto, Resident of Village- Matiyar, Police
Station- Manjhi, District- Saran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. M.Rab(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

04/ 17-09-2015

Heard learned counsels for the petitioner,

State and the complainant.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein processes have been directed to be issued after
cognizance being taken for the offences punishable under
Sections 498A, 494 and 379 of the Indian Penal Code.

The basic accusation is of torture and
performing second marriage.

The complainant was present on
17.08.2015 but as prayed for on behalf of the petitioner since he

failed to appear the matter was adjourned for today. Today the complainant is present but the petitioner is not appearing.

Counsel for the petitioner submits that at present he has no instruction from the petitioner.

Since the marriage between the petitioner and the complainant and birth of two children are not in dispute and considering the present conduct of the petitioner, this Court is not inclined to grant anticipatory bail to the petitioner in connection with Complaint Case No. 1803 of 2012 pending in the court of learned Sub-divisional Judicial Magistrate, Saran at Chapra.

Accordingly, this application is dismissed.

(Dinesh Kumar Singh, J)

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