

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39632 of 2014

Arising Out of PS.Case No. -140 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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VIJAY KUMAR, SON OF LATE SARYU RAM, RESIDENT OF
VILLAGE - BAHUARA, P.S. - CHAURI, DISTRICT- BHOJPUR, ARA.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 09-04-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Mahila
P.S. Case No. 140 of 2014 registered under Section 498(A) and
494 of the Indian Penal Code.

The allegation of informant, Uma Devi, is that her
marriage was performed with the petitioner in the year 1988 and
since one year, she was being tortured by the petitioner as she has
no issue. In June, 2014, she was forced to leave the Sasural house
with her brother. After some time, she was informed that her
husband (petitioner) has performed re-marriage with Pushpa
Kumari.

Learned counsel for the petitioner submits that the

marriage of the petitioner was performed with the informant for about 26 years back. The informant does not want to live with petitioner while he is still ready to keep her with dignity. It is also submitted that there is no allegation torture to the informant for demand of dowry. As far as allegation of re-marriage of the petitioner is concerned that will come in the purview of Section 494 of the Indian Penal Code, which is bailable in nature.

Considering the aforesaid submissions, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Bhojpur, Ara in connection with Mahila P.S. Case No. 140 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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