

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26225 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -MARAUNA District- SUPAUL

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1. Anil Choupal son of Laxmi Choupal Resident of village - Kamrail, P.S. - Marouna, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rakhi Khatoon D/o - Ramjan Sheikh resident of villah - Goshpur Kamtapara, P.S. - English Bazar, Distt - Malda (West Bengal).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha
For the Opposite Party/s : Mr. Bharat Lal(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 09-10-2015 Heard the learned counsel for the petitioner, the learned counsel for the informant and the learned Additional Public Prosecutor.

The petitioner apprehends his arrest in a case under Section 494, 498A and other sections of the Indian Penal Code.

The informant made allegation that the petitioner solemnized marriage with her but her husband left her and came to his village Kamrail in the district of Supaul. The informant also came to village Kamrail but her husband along with other family members assaulted her. Her husband solemnized second marriage with Rubi Devi of village Kunda.

The learned counsel for the petitioner submits that

the petitioner has not solemnized second marriage. The petitioner is ready to keep his wife.

On the other hand the learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that during the pendency of the case the petitioner compromised the case with the informant but when the case was compromised the petitioner again left the informant in lurch and solemnized second marriage.

Considering the fact that there is allegation that the petitioner subjected his wife to torture and left her in lurch and thereafter solemnized second marriage, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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