

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42149 of 2014

Arising Out of PS.Case No. -51 Year- 2014 Thana -GOPALPUR District- GOPALGANJ

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Anirudh Rai S/o Late Rajdhari Rai Resident of Village Sukhdeo Patti, P.S.
Gopalpur, District Gopalganj.

.... Petitioner

Versus

1. The State of Bihar
2. Shobha Devi W/o Anirudh Rai Resident of Village Sukhdeo Patti, P.S.
Gopalpur, District Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Satyendra Rai, Advocate.

For the Opposite Parties : Ms. Sangeeta Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 26-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 498(A) and 34 of the Indian Penal Code.

Petitioner is the husband and the wife has made allegation that the petitioner subjected her to physical and mental torture only on the ground that the complainant/informant could not be able to give birth to a child.

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife. The informant is living with the petitioner in the same house.

It appears from perusal of the records that the petitioner

did not appear before the learned Sessions Judge even during the course of mediation in the High Court. The petitioner did not appear on two consecutive dates. The wife of the petitioner made his statement in the hospital that her husband brutally assaulted her with fists, slaps and sticks.

Considering the facts aforesaid and the fact that the petitioner is not willing to resolve the disputes and he has already solemnized second marriage, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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