

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33623 of 2015

Arising Out of PS.Case No. -3059 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

=====

1. Suraj Pandey @ Tanturi Pandey, Son of Nathun Pandey, Resident of village- Chitu Tola Thawe, P.S. + District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bindu Devi W/o Tanturi Pandey@ Suraj Pandey D/o Sukesh Pandey, Resident of village- Chitu Tola Thawe, P.S. + District- Gopalganj at present Phulwaria Begia Pandey Tola Sugauli, P.S- Sugauli District- East Champaran

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Naresh Prasad
For the Opposite Party/s : Mr. Hirday Pd. Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-10-2015 Heard the learned counsel for the petitioner, the learned counsel for the complainant and the learned Additional Public Prosecutor.

The petitioner apprehends his arrest in a case under Section 498A of the Indian Penal Code.

The wife made allegation that the petitioner subjected her to physical and mental torture. The petitioner filed a petition before the Sarpanch on false pretext of keeping the complainant. The complainant went to the house of her husband but again her husband started subjecting her to cruelty.

On query, the petitioner did not agree to keep the

complainant and submitted that petitioner has also filed a divorce case No. 1187/ 2013 on the ground of extra marital relation of his wife.

Mrs. Soni Srivastava, the learned counsel for the complainant, however, has opposed the prayer for anticipatory bail.

The complainant filed complaint in the year 2012 but one pretext or the other the petitioner did not agree to keep his wife. The petitioner subjected his wife to different sorts of cruelty and filed divorce case in the year 2013 making allegation of extra marital relation of his wife with someone else.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--