

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.334 of 2015

Arising Out of PS.Case No. -922 Year- 2013 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Chandra Bhusan Kumar Son of Yadubansh Ray @ Jadubansh Ray
Resident of Village-Mohanpur, P.S-Patori, District-Samastipur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

5 02-02-2015 Heard both sides.

The petitioner apprehends his arrest in Hajipur Town
P.S. Case No. 922 of 2013, registered for the offences punishable
under Section 498A and other Sections of the Indian Penal Code
and Sections 3/4 of the Dowry Prohibition Act.

The wife made allegation that her husband was
working in 21 Battalion of Bihar Regiment as a Sipoy, but after
marriage he demanded different articles as dowry. She has further
stated that her husband solemnized marriage with one Chandni
Kumari and thereafter, drove her out from the house.

Shri Dharendra Kumar Sinha, the learned counsel for
the petitioner submits that the petitioner is an army man and there
is no chance of absconding. The second wife has not been made

accused. No case under Section 494 of the Indian Penal Code is filed. It has further been submitted that the petitioner is ready to keep his wife.

On the other hand, learned counsel for the State as well as the informant vehemently opposed the prayer for bail and submitted that the petitioner solemnized second marriage and thereafter, drove her out from the house only because the informant was not able to give birth of a child.

Considering the facts aforesaid and the fact that the petitioner being an army man solemnized second marriage and thereafter ousted his wife from the house, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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