

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2063 of 2016

Arising Out of PS.Case No. -131 Year- 2015 Thana -RAMGARH District- BHABHUA (KAIMUR)

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1. Sarvan @ Sarvan Prajapati son of Shayam Narayan Prajapati, resident of village- Dildar Nagar, P.S.- Dildar Nagar, District- Ghazipur (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Prema Devi, Wife of Sarvan @ Sarvan Prajapati resident of village- Dildar Nagar, P.S.- Dildar Nagar, District- Ghazipur (U.P.). At present address- Daughter of Shiv Shankar Prajapati, resident of village- Gorsara, P.S.- Nuaon, District- Kaimur at Bhabua

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parwej Khan

For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 19-09-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant but petitioner is not ready to keep the informant. The petitioner has filed Matrimonial Suit No. 141 of 2015 before learned Principal Judge, Ghazipur, Uttar Pradesh with a prayer for divorce, though subsequent to the filing of the present case.

It is submitted by learned counsel for the informant that informant is ready to resume the conjugal life

and petitioner has no reason not to keep the informant.

Considering the fact that the marriage is admitted between the parties and petitioner has not given any valid reason for not to keep the informant, this Court is not inclined to grant anticipatory bail to the petitioner. Let learned Court below consider the prayer for bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Ramgarh(Nuaon) P.S. Case No. 131 of 2015, pending in the Court of learned Additional Chief Judicial Magistrate, Kaimur at Bhabua.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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