

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23770 of 2016

Arising Out of PS.Case No. -10 Year- 2011 Thana -NANHPUR District- SITAMARHI

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Pravin Kumar Jha son of Late Jagdish Jha, Residtn of Village-Bharwara,
P.S. Singhwara, District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. Priti Jha, Wife of Pravin Kumar Jha and daughter of jawahar Lal Jha
Presently resident at Village-Sirsi, P.S. nanpur, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A and 120B of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that after investigation the police did not sent up the petitioner for trial but differing with the final form, learned court below took cognizance under Section 498A of the IPC. It is further submitted that the petitioner admits marriage with the informant but also

admits that he has performed second marriage, though, he is still ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in para 18 of the petition which reads as follows:

“That it is stated that the petitioner is ready to keep the informant as his wife with full dignity and surety.”

Considering the fact that the FIR was lodged in the year 2011 and the present anticipatory bail application has been preferred in the year 2016, this Court is not inclined to interfere, however, considering the present stand of the petitioner, it is a case for consideration of regular bail.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Nanpur P.S. Case No. 10 of 2011 pending in the court of learned SDJM, Pupri at Sitamarhi.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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