

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35162 of 2015

Arising Out of PS.Case No. -198 Year- 2013 Thana -PUPRI District- SITAMARHI

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1. Lakho Ray Son of Prem Kishore Rai, resident of village - Khajurbara,
P.s. - Kamtaul, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, Wife of Bimlesh Rai, R/o Village - Bajitpur, Ward No. 6,
P.S. - Bajpatti, District - Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. P.K. Chourasiya (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 15-02-2016

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 379, 494/34 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

The notices were issued to the informant/O.P. No. 2 vide order dated 24.08.2015. The office note dated 17.12.2015 reflects that notices were validly served but in spite of that none appeared on 18.12.2015. Today also none is appearing on behalf of the informant/O.P. No. 2.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and it is orally submitted that petitioner has not

performed second marriage. However, statement has been made in para 7 of the petition that informant has performed second marriage with one Bimlesh Rai. A certified copy to that effect has been issued by the Sarpanch. Para 7 of the petition reads as follows:-

“That as in fact the informant Sunita Devi already solemnized marriage with one Bimlesh Rai in the year 2013 itself and the said fact has been suppressed by her and instituted the case”

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Pupri P.S. Case No. 198 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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