

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36717 of 2015

Arising Out of PS.Case No. -6 Year- 2013 Thana -DARBHANGA SADAR District- DARBHANGA

1. Chandan Kumar @ Chandan Mandal Son of Dasrath Mandal resident
of village - Ramsalla, P.S. Sadar, District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Iqbal Asif Niazi

For the Opposite Party/s : Mr. Smt. Rina Sinha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 15-02-2016 Petitioner being husband of the daughter of
the informant is apprehending his arrest in a case registered
for the offences punishable under Sections 323, 494, 498A/34
of the Indian Penal Code.

The petitioner and the informant along with
his daughter are present.

It is submitted by learned counsel for the
petitioner that petitioner admits his marriage with the daughter
of the informant and submits that informant earlier filed a
complaint with accusation under Section 498A I.P.C which
ended into compromise and thereafter the present case has
been lodged. The petitioner admits to have performed second
marriage but claims that daughter of the informant has also
performed second marriage and there is a child also out of the
second marriage.

It is submitted by Mr. J.N. Thakur, learned counsel for the informant that petitioner has concealed this fact that he has earlier married and performed marriage with the daughter of the informant. The informant has not performed second marriage as claimed by the petitioner. Hence, there is no chance of issue being reconciled at present.

Considering the nature of the accusation and the admission of the petitioner that he has performed second marriage, let learned Court below consider the prayer for regular bail of the petitioner, keeping in view of the fact that in earlier case the petitioner is already on bail, if the petitioner surrenders within a period of six weeks in connection with Darbhanga Sadar P.S. Case No. 6 of 2013, pending in the Court of learned Sub-Divisional Judicial Magistrate, Darbhanga.

With the observations above, the application stands disposed off.

Shageer/-

(Dinesh Kumar Singh, J)

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