

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47133 of 2015

Arising Out of PS.Case No. -239 Year- 2014 Thana -SHEOHAR District- SHEOHAR

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Umesh Baitha son of Ram Dayal Baitha

.... Petitioner/s

Versus

1. The State of Bihar
2. Sngeeta Devi wife of Umesh Baitha

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 29-04-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/494 of the Indian Penal Code.

Basic accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant but since the complainant gave birth to a child in league with some other person, hence, the petitioner performed second marriage.

This Court vide order dated 07.10.2015 issued notices

to the complainant. It appears from the service report, kept at 'flag-A' that notices have been validly served on opposite party no.2 but in spite of valid service of notice none is appearing on behalf of opposite party no.2. Today also none turned up on behalf of her.

Under the circumstance, it is a case for consideration of prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Sheohar P.S. Case No.239/2014, pending before the learned CJM, Sheohar.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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