

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21670 of 2015

Arising Out of PS.Case No. -112 Year- 2014 Thana -SIKTI District-
ARRARIA

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Rajeev Kumar @ Rajeev Kumar Mandal, S/o Punyanand
Mandal, resident of Village - Sohagmaro, P.S. - Bardaha
(Sikty), District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Anju Devi, W/o Rajiv Kumar Mandal, D/o Hari
Narayan Kardan, resident of Village - Bhirbhiri, P.S. -
Bardaha (Sikty), District - Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhirendra Kr. Jha, Adv.

For the Opposite Party/s : Md. Fahimuddin (A.P.P.)

For the Opposite Party No.2 : Mr. Sanjay Kr. Sharma, Adv.

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

5 02-02-2016 Heard learned counsel, appearing on behalf of
the petitioner, learned Additional Public Prosecutor,
appearing on behalf of the State and learned counsel,
appearing on behalf of the opposite party No.2.

This application for grant of anticipatory bail
arises out of Sikty (Bardaha) P.S. Case No.112 of 2014,

disclosing offences under Sections 498A, 341, 342 and 323/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As supplementary affidavit has been filed on behalf of the petitioner stating therein that opposite party No. 2 has married someone else, as described in paragraph 4 of the affidavit.

Learned counsel, appearing on behalf of the petitioner, submits that the present case has been instituted by making false and scandalous allegation against the petitioner. He further submits that the petitioner has already instituted a matrimonial case, seeking divorce, before the Principal Judge, Family Court, Araria. He also submits that the petitioner and opposite party No.2 have not been living together for last nine years.

Be that as it may be, in view of the stand taken by the petitioner in the supplementary affidavit, I am not inclined to grant him the privilege of anticipatory bail.

This application for anticipatory bail is, accordingly, rejected.

The petitioner, abovenamed, is directed to surrender before the court below within a period of six weeks from today and seek regular bail, if so advised. If

he does so, his application for regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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