

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43742 of 2016

Arising Out of PS.Case No. -4 Year- 2016 Thana -MAHILA P.S. District- LAKHISARAI

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Banarasi Paswan Son of Late Bhuna Paswan, Resident of Village- Ram Tola, Balupar, P.S.- Lakhisarai, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Fulmani Devi, Wife of Banarasi Paswan, and Daughter of Sidheshwar Paswan, Resident of Village- Sheodih, P.S.- Kajra, District- Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.
For the Opposite Party/s : Mr. Sri Ajay Kumar -2, APP.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance has been taken for the offences punishable under Sections 498A, 494, 323 and 504/34 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant but since the informant deserted the petitioner, hence the petitioner performed second marriage, however, the petitioner is ready to

keep the informant as wife with full dignity and honour, statement to that effect has been made in para 9 of the petition which reads as follows:-

“That although, the petitioner has solemnized second marriage but even then he is ready to keep his wife along with his son with full dignity and honour.”

Let the learned court below consider the prayer for bail of the petitioner if he surrenders within a period of six weeks if he surrenders within a period of six weeks in connection with Lakhisarai Mahila P.S. Case No. 04 of 2016 pending in the court of learned JM, 1st Class, Lakhisarai.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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