

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25578 of 2016

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Ashok Mehta son of Late Mahanti Mehta, resident of Village- Madhubani,
P.S. Balua, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ranju Devi wife of Shri Ashok Mehta resident of Village- Madhubani,
P.S. Balua Bazar, District- Supaul, at present D/o Shri Narayan Mehta,
resident of Village- Brahmpur, P.O.- Balbhadrapur, P.S. Birpur,
District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Gupta

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 17-08-2016

Heard learned counsels for the petitioner
and the State.

The present application has been filed for
modification of the order dated 03.05.2016 passed in Cr. Misc.
No. 41438 of 2015 to the extent of rehearing of the anticipatory
bail application on merits.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A,
323 and 379 of the Indian Penal Code.

On admission of the petitioner with regard

to his marriage with the complainant and birth of two children and readiness to keep the complainant as wife with full dignity and honour but non-appearance of offer by the complainant since the petitioner has performed second marriage, this Court directed the petitioner to surrender and pray for regular bail. Now it is submitted by learned counsel for the petitioner that the petitioner wants to settle the issue in terms of making payment of permanent alimony.

In the circumstances mentioned above, this Court is not inclined to consider the prayer for modification. However, learned court below will consider the contention of the petitioner while considering the prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 220 of 2014 pending in the court of learned Sub-divisional Judicial Magistrate, Birpur, Supaul.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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