

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30484 of 2016

Arising Out of PS.Case No. -235 Year- 2015 Thana -SIRDALA District- NAWADA

Babloo Mistry, Son of Balmiki Mistry
Resident of Village-Dhab, P.S.-Sirdalla, District-Nawada.

.... Petitioner

Versus

1. State of Bihar.
2. Anita Devi, Daughter of Birju Mistry, resident of Village-Bhatbigha, P.S.-Sirdulla, District-Nawada.

.... Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-07-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 494 and 379 of the India Penal Code.

Basic accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that the informant never resided with the petitioner. Thereafter, the petitioner filed Matrimonial Suit No. 23 of 2011 for the restitution of the conjugal life but the informant did not appear before the Court below, thereafter the petitioner performed second marriage.

In view of the filing of matrimonial suit at earlier point of time, let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Sirdalla P.S. Case No. 235 of 2015, pending before the Court of learned Chief Judicial Magistrate, Nawada.

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

(Dinesh Kumar Singh, J)

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