

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44087 of 2016

Arising Out of PS.Case No. -65 Year- 2013 Thana -MAHILA P.S. District- SEKHPURA

=====

1. Hare Ram Paswan S/o Prakash Paswan R/o Pathala, P.S. & District
Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi D/o Suresh Paswan R/o Village belauni P.S. Korma, Dist.
Sheikhpura

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Sri Khurshid Anwar

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

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

Petitioner being the husband of the informant is
apprehending his arrest in a case registered for the offences
punishable under Sections 323, 498A, 504, 506, 494/34 of
the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of dowry demand and performing second marriage.

It is submitted by the learned counsel for the
petitioner that petitioner admits his marriage with the
informant about 10 years prior to the lodging of the present
case. The petitioner also does not deny performance of second
marriage. Though, the petitioner is ready to keep the
informant as wife with full dignity and honour. Similar was

the stand of the petitioner before the learned court below. The impugned order reflects that in spite of notice being served, the informant chose not to appear before the court.

Considering the fact that the First Information Report was registered in 2013 and the present bail application has been registered in 2016 and the fact that petitioner has performed second marriage, this Court is not inclined to interfere.

However, let the learned court below consider the prayer for bail of the petitioner and tried to get the issue mediated after giving notice to the informant, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Sheikhpura (Mahila) P.S. Case No. 65 of 2013, pending in the court of learned Sub-Divisional Judicial Magistrate, Sheikhpura.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--