

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37217 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -PANAPUR District- SARAN

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Shailendra Kumar Singh @ Shailendra Singh @ Lotta Singh S/o Surendra Singh Resident of Village- Chakiya, P.S. Panapur, District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 27-10-2016 Heard both sides.

The petitioner apprehends his arrest in Panapur P.S. Case No. 52/2016, registered for the offences punishable under Sections 498A, 494 and 511 of the Indian Penal Code.

The informant alleged that the petitioner solemnized marriage in a temple, but he did not allow her to live in his house. The petitioner and his family members demanded additional dowry.

Learned counsel for the petitioner submits that earlier the informant filed Panapur P.S. Case No. 124/2014 under Section 376 and other Sections of the Indian Penal Code in which the petitioner has already been granted regular bail vide order passed in Cr. Misc. 23418/2015 and almost on the same and similar

allegation the present case has been filed.

On the other hand, learned counsel for the informant as well as learned A.P.P. opposed the prayer for anticipatory bail of the petitioner.

It appears that in Panapur P.S. Case No. 124/2014 on behalf of the petitioner it was submitted that the informant is his wife and there is no question of committing rape with his own wife. On such submission petitioner was granted regular bail, but in the present case the petitioner denied his marriage with the informant. The informant has stated that the petitioner has solemnized second marriage on 17.04.2016. Petitioner is not ready to keep his wife (informant).

Learned counsel for the informant submitted that if the petitioner is ready to keep his wife, she has got no objection.

Considering the facts aforesaid and nature of allegation made against the petitioner and the fact that the petitioner is not ready to keep his wife, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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