

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12156 of 2016

Arising Out of PS.Case No. -996 Year- 2010 Thana -COMPLAINT CASE District- SUPAUL

Ajmul @ Md. Ajmul

.... Petitioner/s

Versus

1. State of Bihar,
2. Jamina Khatoon

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Durgesh Nandan (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2016 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being husband of the complainant is apprehending arrest in a case registered for the offences punishable under section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and the complainant has herself deserted the petitioner and has performed second marriage. Statements to that effect have been made in paragraphs 11 and 10 of the petition.

Considering the fact that the complaint was filed in 2010 and anticipatory bail was rejected by the learned Sessions Judge initially in 2013, this court is not inclined to interfere.

However, in view of the fact that the complainant has performed second marriage, it is a case for consideration of the prayer for regular bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Complaint Case No. 996 C of 2010 pending in the court of learned SDJM, Supaul.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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