

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12822 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -SONO District- -

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Lokan Yadav, Son of Rajendra Yadav

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-07-2016

Heard learned counsels for the petitioner, informant
and the State.

The petitioner being husband of the informant is
apprehending arrest in a case registered for the offences
punishable under Sections 341, 323, 494, 498A, 504, 506/34 of
the Indian Penal Code.

Basic accusation is of torture and performing second
marriage.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the informant and has not
performed second marriage. A statement to that effect has been
made in para 8 of the petition which reads as follows:-

*"That it is also submitted that the petitioner does not
admit the allegation that he has performed another marriage in*

addition to present informant."

It is further submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

"That it is also submitted that the petitioner is ready to keep the informant with full dignity and honour."

It is submitted by learned counsel for the informant that the petitioner has performed five marriages and this fact has transpired during investigation. One of such wives filed Jamui Mahila P.S. Case No.47/2013, levelling accusation under sections 323, 341, 498A, 494 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act, against the petitioner. It is further submitted that such fact gets reflected from the impugned order also.

Considering the fact that the impugned order reflects that the learned Sessions Judge has discussed the factum of several marriages performed by the petitioner in spite of that the petitioner has made a wrong statement in paragraph 8 of the petition that the petitioner has not performed second marriage, this Court is not inclined to enlarge the petitioner on anticipatory bail. 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 Sono P.S. Case No.133/2015, pending before the learned ACJM, Jamui.

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

(Dinesh Kumar Singh, J)

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