

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47140 of 2016

Arising Out of PS.Case No. -199 Year- 2015 Thana -DESARI District- VAISHALI(HAJIPUR)

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Anitesh Kumar Singh @ Pintu Singh @ Amitesh Kumar Singh @ Amit Kumar Singh, son of Rajnath Singh, resident of Mohalla- Krishna Nagar, Girija More, P.S.- Nawada, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Desari P.S. Case no. 199 of 2015, registered under Sections 364, 365, 366, 380, 120(B) of the Indian Penal Code.

The accusation is that this petitioner enticed away the wife of the complainant/informant, who has two children out of the wedlock with the in informant/complainant, for the purpose of trafficking.

Learned counsel for the petitioner submits that, in fact, the wife of the complainant/informant left her matrimonial house according to her sweet will and performed marriage with this petitioner due to ill behaviour of the complainant. Further



submission is that the wife of the informant/complainant in her statement recorded under Section 164 Cr.P.C. on 22.06.2016 has clearly stated that while he was married with the complainant/informant, but she was being tortured by the complainant in drunken stage and due to that reason, he performed marriage with this petitioner without taking divorce to the informant and presently she is happy with the petitioner.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari P.S. Case No. 199 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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