

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8802 of 2016

Arising Out of PS.Case No. -839 Year- 2010 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Pappu Chaudhary son of Gumbi Chaudhary resident of village - Samsera,
police station Rajgir, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tusi Devi W/o Pappu Chaudhary d/o Anil Chaudhary r/o Kharant
Jakhat Raja police Station - Giriyak, Distt. Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh

For the Opposite Party/s : Mr. Nagendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

06/ 02-08-2016

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A,
494 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the

petitioner that the petitioner admits his marriage with the complainant but the petitioner has performed second marriage since the complainant has also performed second marriage.

Counsel for the complainant submits that since the petitioner has performed second marriage, hence, the complainant has also performed second marriage but the petitioner cheated the complainant.

Considering the fact that both have performed second marriage, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 839(C) of 2010 pending in the court of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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