

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16982 of 2017

Arising Out of PS.Case No. -600 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Devendra Rai, Son of Kapildeo Rai, Resident of Village - Chakmir Banki,
P.S. - Bali Gaow, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Devi, wife of Sri Devendra Rai, resident of village - Chakmir Banki, P.S. - Bali Gaow, District - Vaishali. At present address : - Pinki Devi, D/o - Late Dharamlal Rai, Resident of village - Balbhadrapur Dudhpura, P.S. - Muffasil, District - Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Akbar Ali, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-04-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Complaint Case No. 600 of 2014 instituted for the offence under Sections 498A, 494 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

There is allegation in the written report that earlier for committing physical and mental torture, the informant filed Samastipur Muffasil P.S. Case No. 57 of 2011 against the petitioner and other accused for the offence under Section 498A of the Indian Penal Code. In that case compromise took place and the petitioner filed an undertaking that he will keep the informant with full dignity and he will not perform another marriage.



Thereafter, the case was dropped, but on 25.2.2014 petitioner has performed another marriage.

Learned counsel for the petitioner admits that the petitioner has performed another marriage in the year 2014.

Counsel for the opposite party No. 2 has submitted that he has certificate of marriage of registration from the Registrar in support of her submission that petitioner has performed marriage with another lady on 25.2.2014.

Keeping in view the conduct of petitioner, this Court is not inclined to grant bail to petitioner at this stage.

Prayer for bail of petitioner stands rejected.

The court below is directed to expedite the trial.

Petitioner is given liberty to make efforts to settle the matter with the informant and in that event, he will file bail petition in the lower court which would be disposed off by the court below in accordance with law without being prejudiced by this order.

Petitioner is directed to renew his prayer for bail after six months if no substantive progress is made in the trial.

(Sanjay Priya, J)

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