

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8218 of 2017

Arising Out of PS.Case No. -626 Year- 2015 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Sunil Kumar Gupta, son of Ganesh Prasad, resident of Mohalla -
Darshan Nagar, Salempur, P.S.- Chapra Town, District- Saran, Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Juhi Devi, D/o Jagdish Prasad, resident of Mohalla - Sahebganj
Sonarpatti, P.S.- Chapra Town, District - Saran, Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 11-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Complaint
Case No.626 of 2015 instituted for the offence under Section(s)
498-A Indian Penal Code pending in the Court of the Sub-
Divisional Judicial Magistrate, Saran at Chapra.

Notice was issued to the Opposite Party No.2,
which has validly been served, but none appears on behalf of the
Opposite Party No.2.

As per the Complaint Petition, the complainant was
married with the petitioner in the year 2008 and three children
were born out of the wedlock. It is alleged that the petitioner got
her signature on a petition for divorce with mutual consent,



which has been filed as Divorce Case No.461 of 2014 before the Principal Judge, Family Court, Saran, on the pretext that he has to file document in the return of the income tax.

Cognizance has been taken under Section 498-A Indian Penal Code.

From the Complaint Petition itself, it appears that three children were born out of the wedlock and this petitioner is neglecting his wife and children. The wife has also alleged in the Complaint Petition that her signature was obtained on the petition for divorce with mutual consent on the pretext that it has to be filed in the return of income tax.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit preferably on the same day without being prejudiced by this order.

(Sanjay Priya, J)

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