

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8234 of 2017

Arising Out of PS.Case No. -2955 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. SHEIKH MANNU @ MD. MANNU @ SHEIKH MANU, son of
Sheikh Badri, resident of village- Tansariya Madhopur, Police Station-
Turkauliya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Amirun Nesha, W/o Sheikh Manu, R/o Village- Madhopur, P.S.-
Majholia, Dist- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Tondon, Advocate

For the Opposite Party No.1: Mr. Sri Arun Kumar, APP

For the Opposite Party No.2: Md. Anis Akhtar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 01-05-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Complaint
Case No.2955 of 2013 instituted for the offence under Section(s)
498-A, 323, 504 Indian Penal Code and Section 3/4 of Dowry
Prohibition Act pending in the Court of the Sub-Divisional
Judicial Magistrate, Sadar, Motihari.

Petitioner is husband of the complainant.

As per Complaint Petition, marriage of the
petitioner with Opposite Party No.2 took place on 26.05.2013.
Thereafter, the petitioner committed physical and mental torture
with her and finally ousted from the house.



During the course of hearing of bail application, it has been submitted by the Opposite Party No.2 that the petitioner has performed second marriage with Rukhsana Khatoon daughter of Sk. Abdullah on 12.03.2017 without consent of the complainant-Opposite Party No.2. It is further submitted that he is not maintaining her as well as taking care of her health and other economic needs.

It has been submitted on behalf of the petitioner that compromise has taken place between the parties and he has deposited rupees fifty thousand with the complainant-Opposite Party No.2, as per order of the Court, but from the impugned order it appears that this petitioner did not appear in the Court although the complainant was present in Court.

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 without being prejudiced by this order.

At the time of surrender of the petitioner, if the parties file any petition for one time settlement, the Court below will consider the same and pass appropriate order in accordance



with law without being prejudiced by this order.

(Sanjay Priya, J)

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