

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10678 of 2017

Arising Out of PS.Case No. -18 Year- 2015 Thana –RANI TALAB District- PATNA

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Bipin Sao @ Bifan Sao, son of Krishna Sao, resident of village Patut, P.S.
Rani Talab, Distt. Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rambha Devi, wife of Bipin Sao @ Bifan Sao, daughter of Ram Nivas Sao, r/o village Patut, P.S. Rani Talav, Distt. Patna, at present Fatehpur, P.S. Naubatpur, Distt. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate.

For the Informant : Mr. Rajesh Kumar, Advocate.

For the Opposite Party No. 2 : Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-03-2017 Let the counter affidavit filed on behalf of the

opposite party No. 2 today, be kept on the record.

Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner apprehends his arrest in Rani Talab
P.S. Case No. 18 of 2015 instituted for the offence under Sections
498A, 323, 494 of the Indian Penal Code and Section 3/4 of
Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that
earlier the informant has filed Complaint Case No. 896(C) of 2012
in which the petitioner was granted bail by the court below on the
basis of compromise.



On the other hand, learned counsel for the opposite party No. 2 has submitted that the petitioner lived with his wife for few months, but again deserted her. In the meantime, the minor daughter of the petitioner sustained fracture injury, but the petitioner did not come to see her. The instant case has been filed on behalf of the opposite party No. 2 wherein it is stated that the petitioner has performed second marriage with another girl namely, Rekha Kumari, for which receipt issued from the temple as well as the certificate issued by the Mukhia of village Karanja dated 6.11.2014 are enclosed as Annexurex-R/A and R/R to the counter affidavit. He has submitted that the police after investigation submitted charge sheet under Sections 498(A), 323, 494 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The opposite party No. 2 along with her minor daughter is present in Court. She stated that the petitioner is totally neglecting her and he has performed second marriage.

Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.



The petitioner is directed to surrender before the court below and make prayer for regular bail.

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(Sanjay Priya, J)

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