

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38078 of 2016

Arising Out of PS.Case No. -1855 Year- 2013 Thana -DARBHANGA COMPLAINT CASE
District- DARBHANGA

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Vickky Ram son of Binod Ram Resident of Village - Asraha, Police Station
- Keoti, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Heena Devi wife of Vikky Ram Resident of Village - Asraha, Police Station - Keoti, District - Darbhanga, at present residing at Heena Devi, Daughter of Harilal Ram, Resident of Village - Singhwara, Police Station - Singhwara, District - Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha

For the Opposite Party/s : Mr. Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

06/ 20-02-2017

None appears for the petitioner. However,

counsel for the complainant-opposite party no. 2 is present.

Heard learned counsels for the
complainant-opposite party no.2 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 and 494 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

On submission of learned counsel for the petitioner that the petitioner admits his marriage with the



complainant and in spite of the fact that the complainant earlier declined to resume the conjugal life petitioner is ready to resolve the issue, though statement to that effect has not been made in petition, notices were issued to the complainant-opposite party no. 2 vide order dated 01.09.2016.

It appears that on 05.12.2016 the matter was adjourned since none appeared on behalf of the petitioner, however, counsel for opposite party no. 2 is present. Thereafter, the matter was adjourned for 20.01.2017 for appearance of the petitioner and opposite party no. 2. On 03.02.2017 the matter was adjourned on the prayer made on behalf of the petitioner as a last indulgence for today. Today none is appearing on behalf of the petitioner. In the circumstances, the application is dismissed.

Let the learned court below consider the prayer for bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1855 of 2013 pending in the court of learned Sub-divisional Judicial Magistrate, Darbhanga.

(Dinesh Kumar Singh, J)

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