

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10017 of 2017

Arising Out of PS.Case No. -283 Year- 2016 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. Chandan Kumar @ Chandan Kr. Srivastava, son of Rajendra Prasad Srivastava, resident of village- Mangarhari, P.S.- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumari, D/o Mohan Prasad, resident of village-Mangrahi Shikarpur, Mirza Tola Chhawani, Ward No.5, P.S.-Bettiah, District- West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP
Mr. Sanjeev Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 10-07-2017

Heard learned counsel for the Petitioner and the State as well as counsel for the Opposite Party No.2.

The Petitioner apprehends his arrest in Shikarpur P.S. Case No.283 of 2016 instituted for the offence under Section(s) 341, 323, 498-A, 494/34 Indian Penal Code pending in the Court of the Chief Judicial Magistrate, Bettiah, West Champaran.

Petitioner is husband. Both husband and wife are present in Chambers.

Counsel for the petitioner has submitted that he is ready to give half of his salary to the wife-Opposite Party No.2. He is working as Branch Post Master in village Post Office.

Wife has stated that the petitioner-husband has



performed second marriage with Mandakini Kumari and is living with her. It has further been stated that service of the petitioner is not permanent service and it is a contractual service. She has further stated that the petitioner has landed property and income from other sources also. She has stated that if the petitioner does not want to keep her then she is ready for one time settlement provided he gives a reasonable offer for maintenance of her and minor daughter. She wants rupees twenty five lacs from the petitioner as one time settlement for which the petitioner does not agree.

Marriage of the petitioner has taken place on 24.05.2014 and one daughter has been born out of the wedlock in 2015. Thereafter, petitioner is neglecting his wife and minor daughter and has performed second marriage with Mandakini Kumari in the year 2016.

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.

(Sanjay Priya, J)

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