

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17958 of 2016

Arising Out of PS.Case No. -83 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Sharda Kumari Wife of Amit Kumar Resident of Village - Mohanpur,
Choumukhi, Police Station - Bihariganj, District - Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bandana Devi Wife of Amit Kumar Daughter of Sri Krishna Kumar
Resident of Village - Rajpur, Sarsandi, Police Station - Gwalpara,
District - Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 15-02-2017

Heard learned counsels for the petitioner,

State and the complainant-opposite party no. 2.

The petitioner has renewed the prayer for anticipatory bail in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act on the ground that the husband of the complainant suppressed his marriage with the



complainant as a result the petitioner got married with the husband of the complainant.

Though, earlier the petitioner preferred Cr. Misc. No. 10202 of 2016 along with the parents of the husband of the complainant with prayer for anticipatory bail when the application on behalf of the petitioner was not pressed and it was dismissed as not pressed vide order dated 09.03.2016.

It is submitted by learned counsel for the complainant that, in fact, the complainant deliberately married with the husband of the complainant when she eloped with him leading to registration of the criminal case at the hands of the father of the petitioner being Bihariganj P.S. Case No. 187 of 2013.

Keeping in view of the fact that earlier anticipatory bail application of the petitioner was not pressed, this Court does not find any fresh ground to revise the earlier order. However, let the learned court below consider the prayer for bail of the petitioner keeping in view of the fact that the thrust of accusation is against the husband of the complainant and petitioner is a lady, if she surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 83 of 2015 pending in the court of learned Sub-



divisional Judicial Magistrate, Udakishunganj, Madhepura

Accordingly, this application is disposed of
with the above observation and direction.

(Dinesh Kumar Singh, J)

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