

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7234 of 2017

Arising Out of PS.Case No. -2284 Year- 2015 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

=====

Md. Raju @ Md. Ashif, S/o Md. Jubrail @ Jibrail, R/o Village- Soneghatta,
P.S. Koilwar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khushbu Begum W/o Md. Raju @ Md. Ashif, D/o Md. Shaukat,
Resident of Village- Soneghatta, P.S. Koilwar, District- Bhojpur At
present residing at Village- Jagatpur Pakri, P.S.- Krishna Garh, District-
Bhojpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 06-12-2017

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner, being the husband of the complainant, has renewed the prayer for anticipatory bail in a complaint case, wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 323 of the Indian Penal Code.

The basic accusation is of torture.

It appears that earlier the petitioner preferred Cr. Misc. No. 35215 of 2016 with a prayer for anticipatory bail but the same was permitted to be withdrawn vide order dated 04.10.2016



on the prayer of the learned counsel for the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner withdrew the earlier anticipatory bail application to reconcile the issue, but the issue could not be reconciled. It is further submitted that the petitioner is still ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

“That the petitioner has solemnized another marriage but is ready and willing to keep the complainant also with full honour and dignity as wife without any ill will.”

Considering the fact that the petitioner withdrew the earlier anticipatory bail application on 04.10.2016 and thereafter present anticipatory bail application has been registered on 13.02.2017, this Court is not inclined to entertain second anticipatory bail application. However, in view of the stand of the petitioner that he is ready to keep the complainant as wife with full dignity and honour, it is a case for consideration of prayer for regular bail by the learned Court below, if the petitioner surrenders before the learned Court below within a period of six weeks in connection with Complaint Case No. 2284C of 2015 pending in



the Court of learned Additional Chief Judicial Magistrate-X,
Bhojpur at Ara.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

