

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3647 of 2017

Arising Out of PS.Case No. -168 Year- 2014 Thana -GAYGHAT District- MUZAFFARPUR

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1. Sonu Sahni @ Sonu Kumar Sahni, son of Maghu Sahni, Resident of Village- Tera Kumhrual, P.S.- Gaighat, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Devi, wife of Sonu Sahni, Daughter of Ram Bilas Sahni, at present Resident of Village- Teeshara, Suryapur, P.S.- Tajpur (O.P. Halai), Dist- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 28-06-2017 Petitioner is husband of the informant (opposite party No. 2). The informant is physically present in court along with her minor child but the petitioner is not present although there was specific direction of this court vide order dated 21-06-2017 to remain physically present in chamber.

Counsel for the petitioner submits that the petitioner is out of village. The father of the petitioner has come to court but he has not appeared in chamber. The wife has submitted that he is already in village. He has performed another marriage and is living with his second wife. The opposite party No. 2 wants to live with her husband (petitioner) but he is neglecting her and her minor child.



Counsel for the opposite party No. 2 has stated that earlier the matter was sent to Mediation Centre and in the mediation centre, it was agreed upon by the parties to resolve the dispute by one time settlement amounting to Rs. 1,00,000/- to be paid by the petitioner to the opposite party No. 2 but the petitioner is not making payment of agreed money till date.

In such circumstances, taking into consideration the specific allegation against the petitioner, and also the fact that the petitioner is neglecting his wife and minor child and he has performed another marriage, and, he is not making payment of money as agreed in mediation centre for one time settlement, the prayer for anticipatory bail of the petitioner is rejected.

The petitioner may surrender in the court below and make prayer for regular bail which shall be considered by court below on its own merit without being prejudiced by the order of this court.

(Sanjay Priya, J)

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