

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29726 of 2016

Arising Out of PS.Case No. -317 Year- 2014 Thana -GOPALPUR District- BHAGALPUR

- =====
1. Ranjeet Kumar @ Ranjan Kumar, son of Sri Tarni Mandal
 2. Poonam Devi, wife of Ranjeet Kumar
Both residents of Village-Chharapatti, Police Station-Tikapatti,
District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar.
2. Annu Devi, wife of Ranjeet Mandal, daughter of Nago Mandal, resident
of Village - Harnathchak, Police Station - Gopalpur, District - Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Md. Hussain, Advocate
For Opposite Party No.1 : Mr. Tarun Prasad Mandal, APP
For Opposite Party No.2 : Mr. Brajesh Kumar Singh, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 03-05-2017 Heard learned counsel for the petitioner and the

learned counsel for Opposite Party No.2.

In pursuance of the earlier order passed by this Court, the parties are present in person in Chambers today. After interaction with each of the parties, it appears that there can be no resolution of the dispute. The first wife (Petitioner No.2) is living in a congenial atmosphere with her husband- the Petitioner No.1 and their two children. The source of conflict has arisen because of the re-marriage of the Petitioner No.1 with Opposite Party No.2 and their two children born out of the said marriage are facing the consequence



of such conflict.

It is submitted that the Petitioner No.1 is merely a *Mazdoor* earning a paltry sum of Rs.200/- to 300/- per day. As such, he is unable to give any sort of immediate financial relief to the others-the Opposite Party No.2 and her family. He has, however, offered to keep them under one roof to which Opposite Party No.2 is not inclined.

Considering the entire gamut of circumstances and the nature of allegation levelled against the Petitioner No.1, it appears that there is dispute merely because of the second marriage and not otherwise. So far as Petitioner No.2 is concerned, no case is made out against her.

Accordingly, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of ₹10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Naugachia (Bhagalpur), in connection with Gopalpur P.S. Case No.317 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



However, it shall be open to Opposite Party No.2 to
move an appropriate authority for grant of maintenance, if
any.

(Anjana Mishra, J)

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