

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.3336 of 2017**

Arising Out of PS.Case No. -157 Year- 2016 Thana -GHANSHYAMPUR District- DARBHANGA  
=====

1. Krishna Kant Jha, son of late Nand Kishor Jha
  2. Rinku Devi, wife of Krishna Kant Jha
- Both are resident of village Daxni Kasharaur, P.S. Ghanshyampur, Distt. Darbhanga.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Poonam Devi, daughter of Krishna Kant Jha, r/o village Kasaraur, P.S. Ghanshyampur, Distt. Darbhanga.

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar, Advocate.  
For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.  
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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      06-02-2017                      Heard learned counsel for the petitioners and the State.

The petitioners seek anticipatory bail in a case instituted for the offence under Sections 323, 324, 379, 498(A) and 504/34 of the Indian Penal Code.

From the written report itself it appears that the petitioner No. 1 has performed second marriage with petitioner No. 2 and after performing second marriage he started committing physical and mental torture with the informant and finally ousted from her matrimonial home. It is mentioned in the written report that the marriage of the informant was solemnized with the petitioner about 32-33 years back. The petitioner No. 1 after



performing second marriage with petitioner No. 2 about 15 years back, along with petitioner No. 2 started neglecting the informant.

In such circumstances, this Court is not inclined to grant anticipatory bail to the petitioners.

The prayer for anticipatory bail of the petitioners stands rejected.

The petitioners are directed to surrender before the court below within a period of four weeks and make prayer for regular bail which shall be disposed off by the court below on its own merit without being prejudiced by this order.

It is made clear that in the event the petitioner No. 1 surrenders in the lower court and agree to keep his first wife (informant) with full dignity and care and file a compromise petition at the time of surrender, the court below will consider his prayer for regular bail on the same day sympathetically, in the event the informant also confirms that petitioner has agreed to keep her with full honour and dignity.

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**(Sanjay Priya, J)**

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