

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14510 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -MAHILA PS District- KHAGARIA

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1. Ajeet Ram, son of Gauree Ram, resident of village- Ballamjan, Police Station- Mahesh Khunt, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Sabnam Kumari, daughter of Ram Singh, C/o Nathuni Singh, resident of village- Sansarpur, Police Station Khagaria (Muffasil), District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate
For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP
Mr. Binod Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 24-07-2017

Heard learned counsel for the Petitioner and the State as well as counsel for the Opposite Party No2.

The Petitioner apprehends his arrest in Khagaria Mahila P.S. Case No.38 of 2016 instituted for the offence under Section(s) 498-A, 494 Indian Penal Code and Section 34 of the Dowry Prohibition Act pending in the Court of the Sub-Divisional Judicial Magistrate, Khagaria.

Both husband and wife are present in Chambers.

Earlier, matter was sent to Mediation Centre, but mediation has failed.

It has been submitted on behalf of the petitioner that he has earlier filed Matrimonial Case No.86 of 2015 for declaring the marriage performed with Opposite Party No.2 on 29.07.2015



as null and void as he was minor at that time. He has performed marriage with the Opposite Party No.2 under pressure. Another girl was shown to him and thereafter marriage was performed with Opposite Party No.2.

Opposite Party No.2-wife has submitted that petitioner-husband has performed second marriage on 01.07.2016 and he is living with his second wife. One child has also born out of the said wedlock.

Petitioner has admitted that he has performed second marriage and is living with his second wife.

After talking with petitioner-husband, it appears that he is not ready for even one time settlement with the Opposite Party No.2.

In view of such, this Court does not find it a fit case for grant of anticipatory bail.

Prayer is rejected.

The petitioner may surrender before the Court below and seek regular bail, which shall be considered and disposed of on its own merit without being prejudiced by this order.

(Sanjay Priya, J)

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