

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17344 of 2017

Arising Out of PS.Case No. -51 Year- 2016 Thana -MAHILA PS District- JEHANABAD

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Chandrajeet Kumar, son of Bhim Yadav, Resident of Mohalla- Balti
factory, P.S. + District:- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gita Kumari, D/o Late Brijnandan Yadav, Resident of Village
Dhangawan, P.S. + Dist- Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.

For the Opposite Party/s : Mrs. Pronati Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 04-05-2017 Heard both sides.

The petitioner apprehends his arrest in Jehanabad
Mahila P.S. Case No. 51/2016, registered for the offences
punishable under Section 498(A) and other sections of the Indian
Penal Code.

The informant alleged that Chandrajeet Kumar
(petitioner) is friend of his brother-in-law. The petitioner was
undergoing training as Constable in Bihta and he used to come in
her house along with her brother-in-law. The informant developed
relation with the petitioner. She further alleged that on 10.12.2015
by swearing affidavit the informant and the petitioner solemnized
marriage, but later on, the informant came to know that the



petitioner is a married man and he got a child. The petitioner brought the informant in his parental house and thereafter, drove her out from the house.

Learned counsel for the petitioner submits that the informant did not produce any chit of papers to show that the petitioner ever solemnized marriage with the informant. The informant is firstly married with one Vidya Sagar Kumar about ten years ago. The marriage is still subsisting. The informant wanted to trap the petitioner and that is why she filed this case.

Learned counsel for the informant as well as A.P.P. opposed the prayer for anticipatory bail of the petitioner.

It appears that the informant herself stated that by swearing affidavit she solemnized marriage with the petitioner, but the affidavit has not been brought on record. The marriage was not solemnized in accordance with law. The petitioner denied the factum of marriage with the informant.

Considering the facts aforesaid, the petitioner above-named, in the event of his 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, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the



satisfaction of Sub-Divisional Judicial Magistrate, Jehanabad in connection with Jehanabad Mahila P.S. Case No. 51/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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