

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25217 of 2017

Arising Out of PS.Case No. -181 Year- 2009 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Sudama Singh Son of Late Jai Gobind Singh Resident of Village : Turhi,
P.S. Bikramganj, District : Rohtas.

.... Petitioner

Versus

1. The State of Bihar.
2. Fulkesaria Devi Wife of Sudama Singh Resident of Village : Torhi, P.S.
Bikramganj, District : Rohtas.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajesh Kumar Singh, Advocate.
For the Opposite Parties : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

8 28-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 30.06.2016 in
connection with Rohtas Complaint Case No. 181 of 2009, Trial No.
940 of 2016 for the offences alleged under Sections 323, 498A of
the Indian Penal Code.

3. It is submitted that the petitioner being a physically
disabled person has been falsely implicated as he was already
married with a physically disabled lady in the year 2000 itself and
has never solemnized marriage with the opposite party no. 2.

4. Learned counsel for the opposite party no. 2
appears and opposes the bail petition submitting that she is legally



wedded wife of the petitioner.

5. A report was called for from the Superintendent of Police, Rohtas at Sasaram, pursuant to which the report dated 23.02.2018 has been received, according to which out of his two wives namely Dhanwanti Devi (first wife) and Phulkeshri Devi (second wife), the petitioner is residing with former one along with her children and the opposite party no. 2 does not reside with him.

6. Having regard to the entirety of the facts and circumstances of the case, the provisional bail granted to the petitioner by order dated 01.07.2017 by this Court in connection with Rohtas Complaint Case No. 181 of 2009, Trial No. 940 of 2016 pending in the Court of learned Sub-Divisional Judicial Magistrate, Bikramganj (Rohtas) is hereby confirmed subject to the conditions as laid down in the aforesaid order dated 01.07.2017.

(Vikash Jain, J)

Md. Ibrarul/BT

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