

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4974 of 2018

Arising Out of PS.Case No. -204 Year- 2017 Thana -MAHISHI District- SAHARSA

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1. Abhay Kant Choudhary @ Pappu S/o Shashi Kant Choudhary, R/o
Village- Mahishi, P.S.- Mahishi, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhav Jha

For the Opposite Party/s : Mr. Prem Kr. Jha

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 05-02-2018

Heard both sides.

The petitioner apprehends his arrest in Mahishi P.S.
case No. 204 of 2017 for the offences punishable under Section
498A, 494 and other Sections of the Indian Penal Code and under
Section 3/4 of the Dowry Prohibition Act.

The informant alleged that she was married to the
petitioner on 01.06.2011 but the petitioner and his family members
subjected her to physical and mental torture and drove her out
from house after snatching all her belongings. The informant
further alleged that her husband, the petitioner, solemnized 2nd
marriage with Puja Kumari of village Bangaon.

The learned counsel for the petitioner submits that
petitioner was forcibly married to the informant but after some



time the informant left the house of petitioner and went to her parents' house and even after much persuasion the informant did not come to the house of petitioner and thereafter the petitioner solemnized 2nd marriage.

The learned counsel for the informant as well as learned APP opposed the prayer for anticipatory bail and submitted that petitioner never kept the informant properly and petitioner always subjected the informant to physical and mental torture. The petitioner has already solemnized 2nd marriage.

Considering the facts aforesaid and the nature of allegation made against the petitioner and the fact that petitioner has solemnized 2nd marriage during the subsistence of his first marriage, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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