

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7825 of 2019

Arising Out of PS. Case No.-271 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Sanoj Kumar age about 24 years old (male), S/o Ashok Das , R/o Village-
Aswari, P.S.- Tisiouta District Vaishali

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kumari Saina @ Gudia Kumari , W/o Sanoj Kumar R/o Vill.- Aswari, P.S.-
Tisiouta District- Vaishali at present D/o Satendra Das, R/o- Vill.- Ishakpur
Mahnar, P.S.- Mahnar, District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Ram Shankar Das
For the Opposite Party/s :	Mrs.Pushpa Sinha No. 1, A.P.P. Sri Prakash Chandra , Advocate

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

- 3 05-04-2019 Heard learned counsel for the petitioner , Smt. Pushpa
Sinha No. 1, learned Additional Public Prosecutor as well as Sri
Prakash Chandra, learned counsel who has appeared on behalf
of the complainant /wife of the petitioner.

The sole petitioner, apprehending his arrest in
connection with Complaint Case No. 271 of 2018 , T.R. No.
3176 of 2018 registered for the offence under Section 498A/34,
494 of the Indian Penal Code, 1860 has prayed for grant of bail
in the event of his arrest or surrender.

Learned counsel for the petitioner submitted that
petitioner is ready to keep opposite party no. 2 as wife with



respect and dignity whereas, learned counsel for the complainant on instruction submits that petitioner has already solemnized second marriage and this is the reason that besides taking cognizance under Section 498A of the Indian Penal Code , 1860 , learned court below has also proceeded for the offence under Section 494 of the Indian Penal Code, 1860. In such situation there is no possibility of settlement in between the parties. In that view of the matter the court instead of passing favourable order proposes to dispose of the present anticipatory bail petition with observation that if within a period of six weeks from today petitioner appears before the court below and makes a prayer for regular bail, the learned court below without being prejudiced with this order may examine the same and pass appropriate order in accordance with law preferably on the same day.

(Rakesh Kumar, J)

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