

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13927 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- MAHILA P.S. District- Patna

Mukesh Singh, Son of Mahendra Singh, Resident of Village - Khaprailchak,
Rahimpur, Gumti, P.S.- Parsa Bazar, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-07-2019 This is an application for grant of anticipatory bail in connection with Mahila P.S. Case No. 71 of 2018, disclosing offences under Sections 498A, 323 and 509/34 of the Indian Penal Code.

Allegation against the petitioner is that after marriage of the informant with the petitioner, he had illicit relationship with other lady and when she protested, petitioner and one Kiran Devi has threatened her and assaulted her.

Submission of learned counsel for the petitioner is that the said marriage is itself not a valid marriage, as the informant was minor at the time of marriage. However, on enquiry as to whether, he has filed a petition for annulling, he admitted that he has not filed such application. It has also been submitted that he is not ready to keep her.

Heard learned APP as well as learned counsel



appearing on behalf of opposite party no.2 also, they have opposed the prayer for anticipatory bail on the ground that after marriage with the petitioner, the petitioner married with another lady and also sold the residential house, though she is residing in that house and she has also filed a Domestic Violation Case No.83 of 2018 against the petitioner, which is pending before the learned court below and in that case, petitioner has also not appeared.

Having heard both sides, in view of the allegation, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, he may surrender before the learned court below and make prayer for regular bail.

With the aforesaid observations, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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