

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17028 of 2019

Arising Out of PS. Case No.-107 Year-2017 Thana- MAHILA P.S. District- Saharsa

Sushil Kumar, Son of Dukha Sah, Resident of Village - Pahlam, P.S.- Salkhua,
Distt - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rani Devi, Wife of Sushil Kumar, D/o Bacho Sah, Resident of Village - Kharagpur (Pancham Tola), P.S.- Sadar (O.P Sonbarsa Kachahari), Distt - Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 10-05-2019 This is an application for grant of anticipatory bail in connection with Saharsa Mahila P.S. Case No.107 of 2017, disclosing offence under Sections 498A, 323, 379, 504, 506 & 34 of the Indian Penal Code.

Prosecution story as per F.I.R. is that petitioner demanded one motorcycle and cash amount of Rs.50,000/- and for that he subjected the opposite party with cruelty.

Submission of the learned counsel for the petitioner is that he is ready for one time settlement and maintenance case has already been filed by the informant and the whole allegations are false and concocted.

Heard learned A.P.P. as well as learned counsel



appearing on behalf of the opposite party no.2 also, who has opposed the prayer for bail on the ground that the materials collected during the investigation disclosed that the petitioner has remarried with another lady and informant was subjected to cruelty and assault. He further submitted that while conciliation proceedings in the maintenance case was going on, petitioner filed a case for divorce before the Family Court, Saharsa.

Having heard both sides, in view of the facts and circumstances stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below and make prayer for regular bail.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

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