

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17439 of 2019

Arising Out of PS. Case No.-782 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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RAMADHAR DAS, son of Late Kariban Das @ Raqmahish Das, resident of
village-Chainpura, Police Station Naubatpur, District Patna

... .. Petitioner/s

Versus

The State of Bihar and Another

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajit Kumar
For the Opposite Party/s	:	Mr.Surendra Prasad Singh
For O.P. No. 2	:	Mr. Pramod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

5 16-09-2019 Heard learned Counsel for the petitioner, learned

Counsel for Opposite Party No. 2 and learned Additional Public

Prosecutor for the State.

This application, Complaint Case No. 782 (C) of
2017, in which cognizance has been taken under Sections 498-A
and 494 of the Indian Penal Code.

The allegation against the petitioner, as per the
complaint, is that the marriage of the complainant was
solemnized with the petitioner on 13.03.2000 and out of
wedlock, four children have been born. It has further been
alleged that the petitioner has performed second marriage with
one Meera Devi on 23.06.2017. It has also been alleged that
after second marriage, the petitioner tortured the complainant,
mentally and physically and did not provide her any money and



upon asking about the money, the petitioner and other family members used to torture and assault the complainant and her four children and the complainant, at present, is residing with her mother.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case on the basis of general and omnibus allegation. He further submits that though the petitioner has performed second marriage, he is ready to keep the complainant as his wife.

On the other hand, learned Counsel for the Opposite Party No. 2 submits that after the second marriage, the complainant is being tortured by the petitioner and the matter was referred for mediation, but the mediation between the parties failed.

After having heard learned Counsel for the parties and taking into consideration the fact that the petitioner has performed second marriage, which, in my opinion, is itself a mental torture to the complainant, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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