

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55693 of 2019**

Arising Out of PS. Case No.-29 Year-1999 Thana- SAMASTIPUR COMPLAINT CASE  
District- Samastipur

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MUNNI LAL MOCHI Son of Late Paltu Mochi Resident of Village-  
Pokharbhinda, Tola Nawka Tole, P.S.-Rosera, District-Samastipur, at present  
residing at I.P.S.I. Piska More Road, Hehal Ranchi, Behind I.T.I. College,  
Indira Colony, P.S.-Sukhdeo Nagar, District-Ranchi, Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Shailendra Kumar  
For the Opposite Party/s : Mr.Mukeshwar Dayal

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

3      06-09-2019                      Heard learned Counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises  
out of C. R. No. 29 of 1999, in which cognizance has been taken  
for the offences punishable under Sections 323, 379, 384, 498-A  
and 494 of the Indian Penal Code.

The allegation against the petitioner, on the basis of  
the complaint, is that the complainant is the legally wedded wife  
of the petitioner and out of their wedlock, one son and three  
daughters were born. It has been alleged in the complaint that  
one month ago, the petitioner, along with co-accused Urmila  
Devi, came and told the complainant that the petitioner has  
married with co-accused Urmila Devi and when the complainant



objected, the petitioner assaulted her with slaps, fists and lathi.

Learned Counsel for the petitioner submits that the petitioner is innocent and he has performed second marriage with the consent of the complainant inasmuch as the complainant was suffering from many diseases and was living with her children in the village and the petitioner was living with his second wife at Ranchi. He further submits that no summons or notice was ever served upon him and he has not deliberately evaded to appear before the Court. He next submits that the complainant has died two years back.

After having heard learned Counsel for the parties and taking into consideration the fact that cognizance, in the present case, was taken on 29.07.1999 and after a lapse of almost 20 years, the present application for anticipatory bail has been filed by the petitioner and from the impugned order, it appears that even processes under Sections 82-83 of the Code of Criminal Procedure, 1973, have been issued against the petitioner, I am not inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, dismissed.

**(Anil Kumar Sinha, J.)**

Prabhakar Anand/-

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