

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75258 of 2019

Arising Out of PS. Case No.-539 Year-2017 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

MD. ABDUL Son of Md. Aavid Resident of Village- Parikoch Police Station-
Marauna District- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Halima Khatoon relation not given Resident of Village Parikoch Police
Station- Marauna District- Supaul. Presently residing at Village- Sundar
Birajit, P.S.- Madhepur, District- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binodanand Mishra
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-12-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection
with CR case No.539 of 2017 registered for offences
punishable under Sections 498(A) of the Indian Penal Code and
Section 3/4 of the D.P. Act.

Petitioner happens to be husband of the complainant.
There is allegation of demand of one motorcycle and Rs.01 lac
and for that ousted her from the house as well as solemnized
second marriage with another lady.

Submission of the learned counsel for the petitioner is
that as a matter of fact he has no issue , as such he solemnized
second marriage on the persuasion of the complainant with the



sister of the complainant and now this false and concocted case has been lodged. It has also been submitted that he is still ready to keep her with dignity and care, however, from perusal of the complaint petition, it appears that the complainant is residing in her *Maike* along with her minor children. It further appears from the impugned order that the complainant has appeared before the court below on notice but petitioner did not choose to appear before the learned court below.

Heard learned A.P.P. also.

Having heard both sides and considering the above conduct of the petitioner, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on its own merit.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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