

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24205 of 2021

Arising Out of PS. Case No.-451 Year-2020 Thana- BAJPATI District- Sitamarhi

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SUSHANT KUMAR Son of Ram Naresh Singh Resident of village -
Sarvarpur, Police Station - Bajpatti, District - Sitamarhi.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Suchitra Kumari Wife of Late Uttam Singh Resident of Village - Bangaon,
Police station - Bajpatti, District - Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Alok Kumar Jha, Advocate
For the Opposite Party/s	:	Mr. APP
For the O.P.No.2	:	Mr. Rajeev Kumar Singh, Advocate
		Mr. Mrityunjay Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

10 27-07-2022 Heard learned counsel for the petitioner, learned
counsel for the Informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323, 494, 498(A) and 504/34 of the Indian Penal Code.

It is a case of cruelty subjected to the informant by the husband and his family members due to non-fulfilment of dowry demand and it is an admitted fact that the petitioner has solemnized second marriage with another lady.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that petitioner is ready to keep his wife with full honour and dignity but she is not inclined to live with him as husband and wife. He further submits that petitioner is ready for one time settlement also with the informant but she has not



accepted the offer of the petitioner. He further submits that the informant is a government servant as a teacher and the petitioner is in private job.

In contra, learned counsel for the Informant denied this fact that she had given consent to the petitioner to solemnize second marriage with another lady. It is further submitted that the solemnization of second marriage is without declaring the divorce/dissolution of marriage between the petitioner and the informant comes within the purview of cruelty and the several efforts made by this Court for settlement between the parties went in vein.

Learned APP appearing for the State opposed the anticipatory bail.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner.

Prayer for anticipatory bail of the petitioner is rejected.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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