

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53720 of 2022

Arising Out of PS. Case No.-112 Year-2022 Thana- JALALPUR District- Saran

Abhimanyu Mahto Son Of Chandraketu Mahto, Resident Of Village- Nawada
Mathiya, P.S.- Jalalpur, Distt.- Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Thakur W/o Ranjeet Thakur, Resident of Village- Radha Vihar
Colony, P.s.- Kavi Nagar (Lalkua), Distt.- Gajiyabad (U.P.)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarendra Kumar, Advocate
For the State	:	Mr. Ramchandra Sahni, APP
For the O.P. No.2	:	Mr. Brij Kishor Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Jalalpur P.S. Case No. 112 of 2022 lodged under Sections 341,
323, 494, 498(A) and 504/34 of the I.P.C..

As per prosecution case, the informant has
categorically stated that her first marriage was solemnized with
one Ranjeet Thakur with whom she has one son, subsequently
she submits that his relation was developed with the petitioner
in the year 2017 with whom she has married in 2017 and started

living as husband and wife. It has been alleged that in the year 2020 the petitioner entered into another marriage but subsequently on 21.03.2022 the petitioner came with his wife and throw out the informant from the house, thereafter the present informant has filed the case against the petitioner and his family members and relatives.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Counsel further submits that informant himself accept in the F.I.R. that she was already married and then there is no question of her second marriage with the petitioner. Informant had developed physical relation and started living with the petitioner as husband and wife. Learned counsel further submits that all the allegations are absurd. Counsel further submits that petitioner is a man of clean antecedent and he is in custody since 01.08.2022. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the court. Counsel also submits that on the basis of allegation made in the F.I.R., neither offence under Section 498A of I.P.C. is constituted nor offence under section 494 of I.P.C. is constituted. and rest sections are not applicable against the petitioner.

Learned counsel for the State opposes the prayer for

bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that petitioner has committed mental and physical cruelty against the informant. Petitioner was started living with the informant as husband and wife since 2017 itself and now entered into marriage with another lady and subsequently, threw the informant from the house.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Saran in connection with Jalalpur P.S. Case No. 112 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C..

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

ravishankar/-

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