

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66821 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- MAHILA PS District- Gaya

=====

SRIKANT BARIK @ SRIKANTA BARIK S/O LATE KISHORI CHANDRA
BARIK R/o village- Naya Khandi, Post and P.S.- Khaira, District- Balesar,
State- Odisha, Present Address- Mohalla- Srikrishnapuri, Ward No. 10, P.S.-
Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No. 2, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP
For the informant	:	Mr. Kamaldeo Sharma, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

Learned counsel for the petitioner is permitted to
make necessary correction in the first paragraph of the petition
in course of the day.

The petitioner is apprehending his arrest in Mahila P.S.
Case No. 34 of 2021 registered under Sections 376, 406, 493,
and 420 of the Indian Penal Code.

As per F.I.R. allegation against the petitioner is that though



he was already married but without disclosing this fact to the informant, he solemnized second marriage with her. It has been further alleged that he also used to abuse, torture and demand money and also to threaten her. Thus, he sexually exploited her many times.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is said to have solemnized marriage with the informant. Subsequently, after marriage, the informant came to know that the petitioner is already married to some other lady. No offence u/S 376 of the Indian Penal Code is attracted in the present case. At best, it is a case for offence under Section-493 of the Indian Penal Code and the same is triable by Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount to the satisfaction of Mrs. Priti



Kumari, learned Judicial Magistrate-Ist Class, Gaya in connection with Mahila P.S. Case No. 34 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V.//-

U		T	
---	--	---	--

