

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34948 of 2024

Arising Out of PS. Case No.-531 Year-2011 Thana- COMPLAINT CASE District- Araria

Dukhan Ram @ Nagendra Ram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-05-2024 Heard Mr. Madhav Jha, learned counsel for the petitioner and Mr. Sanjay Kumar Pandey, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 531c of 2011 registered for the offences punishable under Section 498A of the I.P.C.

3. The complainant alleged that her marriage was solemnized with the petitioner. Subsequent to the marriage, she came to know that her husband had already solemnized 5 marriage earlier and he is a man of immoral character. Further allegation of demand of dowry and torture has also been levelled.

4. Learned Advocate for the petitioner denied the allegation levelled in the complaint petition and submitted at the



bar that in fact the complainant has solemnized another marriage with one Gobardan Ram resident of village- Mauzabari, P.S. & District – Kishanganj. She also blessed with four children from her second marriage.

5. In the aforesaid premise, he submitted that the entire case is based on falsehood. On a query made by this Court that the complaint is of 2011 and why the delay has occurred. Learned Advocate responded that the prayer for anticipatory bail of the petitioner was earlier rejected vide A.B.P. No. 504 of 2014 on 11.07.2014 itself but as this order has never been communicated to the petitioner, he was under impression that he has been allowed bail and thus, the delay has occurred.

6. On the other hand, learned counsel for the State submitted that the prayer for bail of the petitioner was already rejected way back in the year 2014 itself and there is a delay of 10 years and as such, the petitioner does not deserve any sympathy.

7. Considering the submissions made on behalf of the parties and the fact that the petitioner is seeking anticipatory bail in a case of 2011 where his prayer for anticipatory bail had already been rejected in the year 2014, this Court is not acceded



to the prayer for anticipatory bail and accordingly, the same stands rejected. It is needless to observe that if the petitioner will surrender before the Court below preferably within a period of four weeks, learned Court below shall consider the submissions of the petitioner and pass order expeditiously without being prejudiced by the order of this Court.

(Harish Kumar, J)

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