

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82861 of 2023

Arising Out of PS. Case No.-674 Year-2021 Thana- COMPLAINT CASE District- Jamui

Bharat Bhushan, Son Of Omkar Prasad R/O Vill - Mahuli, P.S. - Giddhaur
(Khaira), Distt. - Jamui

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rekha Kumari, W/o Bharat Bhushan, D/o Shital Mandal R/o vill -
Daulatpur, P.S - Jamui, Distt. - Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Rabi Bhushan
For the Opposite Party/s :	Mr. Tarkeshwar Nath Thakur
	Mr. Pramod Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 06-03-2024 1. Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest
in a case registered for the offences punishable under Sections
323, 341, 307, 494, 498(A), 504 and 506 of the Indian Penal Code
and Sections 3 and 4 of the D. P. Act, but cognizance was taken
under Sections 341, 323, 498(A), 504 and 506 of the I.P.C. and
Sections 3 and 4 of the D. P. Act.

3. The learned counsel for the petitioner, at the outset,
very fairly submits that petitioner has performed his second
marriage. It is next submitted that informant was having illicit
relationship with her colleague for which *Panchayaties* were held,
but then, the issues could not be resolved. It is further submitted



that since opposite party no.2 was not willing to reconstitute her conjugal rights and mother of the petitioner was ill, as such, he performed his second marriage.

4. The learned counsel appearing on behalf of the opposite party no.2 rebuts the submission of the learned counsel appearing on behalf of the petitioner and submits that a false submission has been made that informant had extra-marital relations. It is next submitted that if what has been submitted is true, in that event, the petitioner ought to have instituted a case seeking divorce on grounds of desertion/ cruelty. It is next submitted that when the first marriage is subsisting, the petitioner could not have performed his second marriage.

5. Considering the submission made by the learned counsel appearing on behalf of the opposite party no.2, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

6. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Satyavrat Verma, J)

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