

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56113 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- HASPURA District- Aurangabad

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Ankit Sharma @ Ankit Kumar, age about 25 Ys male, Son of late Arvind Sharma, R/o Village- Jaitpur, P.S.- Haspura, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Beuti Kumari Wife of Ankit Sharma @ Ankit Kumar R/O Vill.- Jaitpur, P.S.- Haspura, Dist.- Aurangabad. At Present Reside with her Father Namely Arvind Sharma R/O Vill Belkhari, P.o.- Khajura, P.s.- Karpi, Dist.- Arwal.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	None
For the O.P. No. 2	:	Mr. Sujeet Kumar, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 18-01-2025 No one appears on behalf of the petitioner.

2. Mr. Sujeet Kumar, learned counsel appearing on behalf of opposite party No. 2 and Mr. Kumar Ranjit Ranjan, learned APP for the State are present.

3. The petitioner seeks pre-arrest bail in connection with Haspura P.S. Case No. 39 of 2024, registered for the offence punishable under Sections 498 A, 494/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

4. As per the allegation made in the complaint, due to non-fulfillment of demand of dowry, the petitioner and his family members committed cruelty and tortured the complainant and thereafter they forcibly ousted her from her matrimonial



house.

5. Learned counsel appearing on behalf of the opposite party no. 2 submitted that petitioner has deserted the opposite party no. 2, who is his legally wedded wife and he solemnized second marriage with another woman, and in this regard, he has made a specific statement in para-3 of the counter affidavit.

6. The petitioner was granted interim protection vide order dated 03.09.2024. Thereafter, the matter was taken up on 26.10.2024, on which date petitioner was unrepresented. Today also, petitioner has remained unrepresented and it appears that petitioner, after obtaining favourable order, is intentionally avoiding the Court proceeding.

7. I find that petitioner has solemnized second marriage without obtaining decree of divorce from the opposite party no. 2 and any relationship between the petitioner with another woman, will amount to cruelty to the opposite party no. 2, who is legally wedded wife of the petitioner. Considering the entirety of the fact and the conduct of the petitioner, who after obtaining favourable order from this Court, has remained unrepresented on two occasions, I am not inclined to enlarge the petitioner on pre-arrest bail.



8. Accordingly, the present bail application stands dismissed.

(Purnendu Singh, J)

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