

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38183 of 2014

Arising Out of PS.Case No. -312 Year- 2014 Thana -KADAMKUAN District- PATNA

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Sunny Kumar, Son of Sri Binod Prasad, resident of West of Jai Prakash Nagar, Basanti Press, P.S.- Jakkanpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

2. Subhangi Kumar @ Komal Kumari, W/o Sanny Kumar, resident of house of Sri Rajendra Choudhary, Jagat Narayan Road, near Manju Geeta Mishra, P.S.- Kadamkuan, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray, Advocate

For the Opposite Party No.1 : Mr. Syed Ehteshamuddin, A.P.P.

For the Opposite Party No.2 : Mr. Ajay Kumar Verma, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 14-01-2015 The wife of the petitioner submitted a complaint alleging the acts of violence referable to Section 498A of the Indian Penal Code. The F.I.R. was registered and the petitioner was arrested.

The petitioner moved the Court of learned Additional Sessions Judge-6th, Patna in B.P. No.18933 of 2014 for bail. The application was rejected on 22.08.2014. Hence, this application under Section 439 of the Code of Criminal Procedure.

Heard Sri Sada Nand Ray, learned counsel for the petitioner, Sri Syed Ehteshmuddin, learned A.P.P. for the State, and Sri Ajay Kumar Verma, learned counsel for the

complainant- opposite party no.2.

The concern of the complainant was to live with the petitioner, rather to cause inconvenience to him. On account of differences between them, the petitioner and his wife are said to be living separately. This Court is of the view that keeping the petitioner in prison will not help the situation.

Hence, this application is allowed. The petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Kadamkuan P.S. Case No.312 of 2014.

It is directed that the petitioner shall make an effort to live with his wife peacefully.

(L. Narasimha Reddy, CJ)

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