

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45020 of 2013

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Sushil Pandit @ Soshil Pandit, S/O Sri Laxmi Pandit, Resident of Village-Salepur, P.S. Singhia, District- Samastipur

.... Petitioner/s

Versus

1. The State Of Bihar

2. Ranjan Devi, W/O Sushil Pandit @ Soshil Pandit, Resident Of Village-Salepur, P.S. Singhia, District- Samastipur. At Present W/O Ram Uchit Pandit, Resident Of Village Babanghat, P.S. Khanpur, District Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 09-02-2015

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code.

The basic allegation is of torture.

It is submitted by the learned counsel for the petitioner that after deseration, the complainant married to one Ram Uchit Pandit and in spite of deemed valid service of notice, none is appearing on behalf of opposite party no.2. It is further submitted that the complaint case was filed in the year 2003 and cognizance was taken in the year 2004, which was challenged in

Cr. Misc. No.2598 of 2013, which was permitted to be withdrawn vide order dated 22.3.2013. Thereafter the present application has been filed.

Under such circumstances, let the learned court below consider the prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today, in connection with Complaint Case No.978 of 2003 (T.R. No.291/2012) pending in the court of Sri D.K. Mishra, learned Judicial Magistrate 1st Class, Samastipur.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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