

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33977 of 2015

Arising Out Complaint Case No. -579 Year- 2008 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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Ranjeet Sharma @ Sanjeet Sharma, son of Shiv Chandra Sharma
..... Petitioner/s

Versus

State of Bihar & Anr

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/379 of the Indian Penal Code.

The accusation is of torture.

It is submitted by learned counsel for the petitioner that the complainant has performed second marriage in 2009 with one Hari Narayan Sharma and, thereafter, two children born out of the second marriage, a statement to that effect has been made in paragraph 10 of the petition which reads as follows:

"10, That it is relevant to mention here that the complainant (opposite party no.2) already solemnized second marriage in the year 2009 with one Hari Narayan Sharma, son of Ramjapo Sharma, resident of Village- Hanuman Nagar Bhirha, P.S. Rosera, District- Samastipur (Bihar) and two child were born aged about four

and one year respectively from that wedlock."

Considering the same, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Rosera, Samastipur in connection with Complaint Case No.579 of 2008 , subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below on verification of the fact that the complainant has performed second marriage, otherwise the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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