

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37623 of 2015

Arising Out of COMPLAINT CASE. No. -779 Year- 2010 Thana -AURANGABAD District-
AURANGABAD

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Kamlesh Bhuian

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma

For the Opposite Party/s : Mr. Ram Sevak Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-08-2015

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 Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the complainant has performed second marriage with one Ram Pravesh and in spite of notices issued the complainant failed to appear before the learned court below, though, the petitioner is ready to settle the issue.

Considering the aforesaid fact, 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 SDJM, Aurangabad in connection with Complaint Case No. C-779 of 2010, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the provisional bail of the petitioner will be confirmed by the learned court below if she admits that she has performed second marriage or if she fails to appear or if she appears and gets ready to reconcile the issue with the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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