

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7258 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -MAHILA PS District- DARBHANGA

Santosh Mishra, S/o Late Srinath Mishra, Resident of Village -Tarauni Bari,
P.S.- Bahera, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Kumar Kaushik, Advocate

For the Opposite Party/s : Md. Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

5 12-08-2015

Learned counsel for the petitioner seeks permission
to make necessary correction in para 6 and prayer portion of the
application.

Leave is granted.

Heard learned counsel for the petitioner, learned
counsel for the State and learned senior counsel for the
informant.

The petitioner seeks anticipatory bail in connection
with Darbhanga Mahila P.S. Case No. 62 of 2014 registered for
the offences punishable under Sections 323 and 498-A read with
34 of the Indian Penal Code.

It is contended that there is no truth behind the

allegation made in the FIR and since the informant refused to live with the petitioner, the petitioner filed a Matrimonial Case bearing No. 150 of 2014 before the learned Principal Judge, Madhubani for dissolution of marriage on 29.05.2014 and, thereafter, the instant case was registered as a counter blast to the aforesaid matrimonial case dated 29.05.2014.

Learned senior counsel appearing for the informant has vehemently opposed the prayer for bail.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender within a period of four weeks from today, the petitioner is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Darbhanga Mahila P.S. Case No. 62 of 2014 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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