

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39690 of 2015

Arising Out of PS.Case No. -612 Year- 2013 Thana -MUNGER COMPLAINT CASE District-
MUNGER

Arjun Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. A.K.Chaudhary(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 14-09-2015

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 petitioner denies the factum of marriage.

Considering the fact that the factum of marriage is being denied by the petitioner, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each

to the satisfaction of the learned J.M., 1st Class, Munger in connection with Complaint Case No. 612C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below conduct an enquiry with regard to factum of marriage. If the learned court below comes to the conclusion that petitioner has never performed marriage with the informant then the provisional of the petitioner will be confirmed by the learned court below but if the learned court below comes to the conclusion otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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