

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50273 of 2012

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Md. Shamim Khan, S/o Md. Faruk Khan, resident of mohalla- Saharsa
Basti, Ward No. 31, Police Station- Sadar, District- Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Shakuntala Sahu, D/o Bansilal Sahu, village- Salwani, P.S.- Baldwal,
P.O.- Sakrasli, District- Janigor Champa (Chhatisgarh State)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madhuri Lata(APP)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

5 05-02-2015 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 493,
498A, 323, 341, and 504/34 of the Indian Penal Code.

Accusation is of torture.

It is submitted by the learned counsel for the
petitioner that the informant was never married to the
petitioner. The informant is the wife of Khemraj Sahu which got
reflected from the Matrimonial Suit No. 26A of 2010 filed by the
informant for divorce which was ultimately dismissed by the
learned Family Court, Raigarh vide judgment dated
12.01.2011.

The notices were issued to the
complainant/opposite party no.2 on 19.02.2013 and
26.08.2013 but none appeared.



Considering the submission of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 508 of 2012, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The informant will be at liberty to file an application for cancellation of bail of the petitioner, if some wrong facts have been submitted before this Court.

(Dinesh Kumar Singh, J)

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