

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.591 of 2015

Arising Out of PS.Case No. -3146 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

Sanjay Paswan

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Nityanand Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 08.01.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 3146 of 2011/ Tr. No. 3709 of 2013.

According to the complaint case, the petitioner is husband of
the complainant and used to torture her due to non-fulfillment of
illegal demand.

The submission on behalf of the petitioner is that
complainant has already solemnized her another marriage and
presently, she has been residing with her new husband with whom she
got a child. It is also pointed out on behalf of the petitioner that
learned Sessions Judge issued notice to the complainant for
reconciliation but in spite of service of notice, she did not appear
before learned Sessions Judge.

Considering the aforesaid facts and circumstances as well as
submissions of the parties, this anticipatory bail petition is allowed

and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub divisional Judicial Magistrate, Vaishali at Hajipur in Complaint Case No. 3146 of 2011/ Tr. No. 3709 of 2013 subject to condition as laid down under section 438(2) of the Cr.P.C.

However, it is made clear that if the complainant appears before the trial court and denies the allegation of subsequent marriage, the trial court shall be at liberty to cancel the bail bonds of the petitioner after making due and proper enquiry.

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(Hemant Kumar Srivastava,J)

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