

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48046 of 2014

Arising Out of PS.Case No. -3936 Year- 2013 Thana -SARAN COMPLAINT CASE District- SARAN

SUNIL KUMAR SAH @ SUNIL KR. SAH, SON OF DHARMANATH SAH, RESIDENT OF VILLAGE - HATA BISHUNPURA, P.S. - EKMA, DISTRICT- SARAN.

.... PETITIONER/S

VERSUS

1. THE STATE OF BIHAR.
2. SEEMA DEVI, W/O SUNIL KUMAR SAH, D/O SURESH SAH, RESIDENT OF VILLAGE - HATA BISHUNPURA, P.S. - EKMA, DISTRICT - SARAN. AT PRESENT RESIDING VILLAGE - KABIRPAR, P.S. - MANJHI, DISTRICT- SARAN.

.... OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh
For the Opposite Party/s : Mr. S.Eheteshamuddin(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioner, learned counsel for the complainant and also the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 3936 of 2013 (Trial No. 2669 of 2014) registered under Section 498(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner happens to be the husband of the complainant/opposite party no.2 and she has filed the present case only to harass the petitioner and his family members in retaliation of Divorce Case

No. 65 of 2013 filed on 17.03.2013 pending in the court of Principal Judge, Family Court Saran at Chapra and after nine months the present case has been filed by the complainant.

On the other hand, learned counsel for the complainant does not dispute about the filing of Divorce Case No. 65 of 2013.

Under the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Saran at Chapra, in connection with Complaint Case No. 3936 of 2013 (Trial No. 2669 of 2014), subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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