

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33823 of 2014

Arising Out of PS.Case No. -700 Year- 2012 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Pramod Chaudhari Son of Late Ram Bilash Chaudhary Resident of
Vilage-Awariya, P.S.-Durgawati, District-Kaimur at (Bhabua).

.... Petitioner

Versus

1. The State of Bihar

2. Laxmiya Devi Wife of Pramod Chaudhary, Resident of Village+P.O.-
Sikandarpur, P.S.-Chakiya Janpad, District-Chandauli (U.P.)

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Vinod Kumar Seth

For the Opposite Parties : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 07-05-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences punishable under Sections 494, 498A of
the Indian Penal Code.

The basic accusation is of torture and
performing second marriage.

The notices were issued to the
complainant/O.P. No. 2 vide order dated 23.02.2015. The office
note dated 06.05.2015 suggests that notices were served
personally to the complainant/O.P. No. 2. Today, none is
appearing on behalf of the complainant/O.P. No. 2.

It is submitted by learned counsel for the
petitioner that Matrimonial Suit No. 41 of 2012 was filed on
28.03.2012 under Section 13(b) of the Hindu Marriage Act by

the complainant/O.P. No. 2 and thereafter the present complaint has been filed on 21.06.2012. It is further submitted that complainant has performed second marriage.

Considering the fact that matrimonial suit for dissolution of marriage was filed prior to filing of the present complaint, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, 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 learned Judicial Magistrate, Bhabua in connection with Complaint Case No. 700 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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