

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1059 of 2015

Arising Out of PS.Case No. -258 Year- 2005 Thana -SAMASTIPUR COMPLAINT CASE District-SAMASTIPUR

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Laxmi Sahni

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh

For the Opposite Party/s Mr. Raj Ballabh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 12.01.2015 Power is filed on behalf of the complainant.

Heard learned counsel for the petitioner, learned Addl. Public Prosecutor for the State as well as learned counsel for the complainant.

Admittedly, petitioner is husband of the complainant and is languishing in jail custody since 29.10.2014 in Complaint Case No. 258 of 2005 in which cognizance for the offences punishable under sections 379, 498A of the IPC and 3/ 4 of the D. P. Act was taken.

The contention on behalf of the petitioner is that the complainant has already solemnized her marriage which is evident from perusal of annexure 2 which is certificate issued by Mukhiya of village Khanpur.

Learned counsel for the complainant refuted the above stated submission submitting that annexure 2 is a forged document and, as a matter of fact, complainant has not solemnized her marriage with other person.

Considering the above stated facts and circumstances as well as submissions of the parties, 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, Samastipur in Complaint Case No. 258 of 2005 subject to the condition that petitioner shall attend the learned trial court in person on each and every date for the period of nine months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any reasonable explanation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

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(Hemant Kumar Srivastava,J)

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