

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27104 of 2015

Arising Out of PS.Case No. -563 Year- 2011 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Santosh Kumar Sah @ Santosh Sah S/o Sri Bunilal Sah Resident of village -
Harnahi, P.S. - Raxaul, Dist. - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kavita Devi W/o Santosh Kumar Sah R/o Village - Harnahi, P.S. - Raxaul, District - East Champaran. At present D/o Nawal Kishore Sah, R/o Village - Lakhaura Bichala Tola, P.S. - Lakhaura, District - East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 17-07-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the complainant is languishing in custody since 11.05.2015 in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On readiness of the petitioner to keep the complainant as wife with dignity and honour the petitioner was granted provisional anticipatory bail vide Cr. Misc. No. 6080 of

2013. The provisional bail was to be confirmed by the learned court below on restoration of matrimonial harmony substantially or if the complainant deliberately refuses to reside with the petitioner or if the complainant fails to appear before the learned court below. The provisional bail of the petitioner was not confirmed and ultimately the petitioner was arrested.

It is submitted by learned counsel for the petitioner that the complainant filed a petition before the learned court below that she is not ready to resume the conjugal life.

Considering the period under custody, let the above named petitioner, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Complaint Case No. C-563 of 2011.

(Dinesh Kumar Singh, J)

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