



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36308 of 2015

Arising Out of PS.Case No. -428 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Sanjeev Kumar, Son of Asharfi Sah, Resident of village- Keeratpur
Rajaram, P.O.+P.S.- Bhagwanpur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Priyanka Kumari, W/o Sanjeev Kumar D/o Tauzi Sah, resident of village-
Baradhiyan, P.S.+District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate
For the Opposite Party/s : Mr. Nityanand(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 18-08-2015 Heard learned counsel for the petitioner and the

State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case in
which processes have been directed to be issued after
cognizance being taken for the offences punishable under
Sections 498A, 323 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the



petitioner that petitioner has filed Matrimonial Suit No. 316 of 2014 on 03.12.2014 for divorce, thereafter the present complaint has been filed. Hence, reconciliation does not appear to be feasible at this venture. The petitioner is ready to pay Rs.1,500/- per month from September, 2015 to the complainant by depositing the same in her account by second week of every month.

Considering the fact that the matrimonial case was lodged at earlier point of time by the petitioner and the present stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Vaishali at Hajipur in connection with Complaint Case No. 428 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The petitioner undertakes to supply a copy of the order to the complainant within a period of three weeks when it is expected from the complainant to submit her bank account number by filing the same on affidavit before the learned court below. The aforesaid payment will be subject to any order being passed in matrimonial or

maintenance proceedings.

Three consecutive defaults in making payment will give liberty to the complainant to file application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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