

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32153 of 2015

Arising Out of PS.Case No. -605 Year- 2010 Thana -COMPLAINT CASE District- KISANGANJ

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1. Sanjit Paswan Son of Kamla Paswan, resident of village -Pichala basti,
Police Station- Karandighi,District- Uttar Dinajpur (W.B.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Rina Kumari, W/o Sanjit Paswan, D/o Srikant Paswan, resident of
village - Kajlamani Ward No. 02, P.S. & District - Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Chaube Jawahar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A,323 and 504 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that the marriage was performed after 14 years prior to the lodging of the case. The complainant has performed marriage with someone else and inspite of notice being issued by the learned court below, the complainant failed to appear.

Considering the aforesaid facts, let the above named

petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve 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 learned CJM, Kishanganj in connection with Complaint Case No. 605 C of 2010 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The learned court below will issue notice to the complainant and in case she appears and admits that she has performed second marriage, the provisional bail of the petitioner will be confirmed. The provision bail will also be confirmed if the complainant fails to appear.

(Dinesh Kumar Singh, J)

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