

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10475 of 2015

Arising Out of PS.Case No. -1099 Year- 2011 Thana -COMPLAINT CASE District- ARRARIA

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1. Amitabh Kumar Sharma son of Late Parma Nand Sharma Resident of Maniya Chouraha, P.S. Kashim Bazar, P.O. and District- Munger

.... Petitioner/s

Versus

1. The State of Bihar,
2. Smt. Jyoti Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan

For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-04-2015 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant 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 Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that at earlier point of time Matrimonial Case no. 4 of 2011 for divorce was filed though the same was withdrawn. Thereafter, the petitioner filed Matrimonial Case No. 1025 of 2013 / T.S. (Mat.) No. 280 of 2012 for divorce in which the complainant appeared but chose not to contest and ultimately vide an ex-parte judgment

dated 10.12.2013 passed by the learned Principal Judge, Family Court, Munger marriage between the petitioner and the complainant was dissolved. It is further submitted that the said ex-parte judgment has not been challenged.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail 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 S.D.J.M., Araria in connection with Complaint Case No. 1099 of 2011 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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