

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29938 of 2015

Arising Out of PS.Case No. -223 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

Sanjeet Kumar Son of Krishnadeo Singh, Resident of Village - Kutubpur,
P.S. - Patepur, District - Vaishali at Hajipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Devi Daughter of Chandeshwar Singh, Resident of Village -
Pirapur Mathura, P.S. - Goroul, District - Vaishali at Hajipur (Bihar).

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar
For the Opposite Party/s : Mr. Parmeshwar Mehta(App)

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

03/ 30-11-2015 Heard learned counsels for the petitioner and the
State.

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

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that the petitioner disputes the factum of marriage with
the complainant. It is further submitted that the complainant has
already married to three persons prior to the petitioner and she was

never married with the petitioner.

However, counsel for the complainant submits that the complainant claims to have married with the petitioner.

In the circumstances, let the above named petitioner be released on provisional anticipatory bail provisionally for six months 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 Judicial Magistrate, Ist Class, Vaishali at Hajipur in connection with Complaint Case No. 223 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below decide the factum of marriage. If the learned court below finds that the petitioner was never married with the complainant then the provisional bail of the petitioner will be confirmed by the learned court below, but if the learned court below comes to a conclusion otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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