

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1488 of 2015

Arising Out of PS.Case No. -271 Year- 2014 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Sanjay Sanyami Baba @ Sanjay Sanyami C/o Shantanand Mission
Prashant Yog Ashram, Pachasha, Musepur, Police Station- Rahui (Bhagan
Bigha O.P) District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nutan Kumari D/o Satya Narayan Yadav, R/o village – Baghmara, P.S.
Matihani and District – Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. M.K.Nirala(App)

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

03/ 31-03-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 341,
323, 498A, 379, 504 and 506/34 of the Indian Penal Code.

The basic accusation is of torture.

In pursuance to the notices issued to the
informant-opposite party no. 2 vide order dated 14.01.2015 the
informant is present. Informant claims to have married with the
petitioner, though, informant entered into relationship with
petitioner since 2005, but petitioner subsequently started

inflicting torture and consequently the present case has been registered on 06.09.2014.

It is submitted by learned counsel for the petitioner that the petitioner denies the factum of marriage. The informant lodged Kahalgaon (Shivnarayanpur) P.S. Case No. 271 of 2012 levelling accusation under Sections 448, 341, 323, 376(2)(g), 504/34 and 379 of the Indian Penal Code against Ghanshyam Mandal, Vivekanand Mandal, Swami Agyanand @ Mantu Baba, Pankaj Kumar, Prem Yadav and Ratna Paswan. In the said F.I.R. the informant claims herself as Sadhwi and has not described herself as a married lady or wife of the petitioner and has described herself as daughter of Satya Narayan Yadav.

Without expressing any opinion with regard to the relationship of petitioner and the informant, considering the FIR of Kahalgaon P.S. Case No. 71 of 2012 lodged by the informant without disclosing her married status particularly with this 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 Judicial Magistrate, Ist Class, Biharsharif, Nalanda in

connection with Rahui (Bhagan Bigha) P.S. Case No. 271 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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