

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52008 of 2015

Arising Out of PS.Case No. -730 Year- 2011 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Fuldeo Sah

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 380, 341 and 323/34 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the accusation has been levelled after several decades of the marriage. earlier also the complainant filed a case with accusation under Section 498A IPC which ended into compromise on the basis of the same six kathas of land was transferred by the petitioner in favour of the complainant but it is alleged that the petitioner now putting pressure to transfer back the said land and

has driven out the complainant from the matrimonial house. It is further submitted that the petitioner got separated from the complainant 27 years ago and he is not claiming the six kathas of transferred land.

Considering the nature of accusation, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st Class, Sadar Motihari, East Champaran in connection with Complaint Case No. C-730 of 2011, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance and make attempt to get the issue reconciled. On issue being reconciled, the provisional bail of the petitioner will be confirmed by learned court below.

(Dinesh Kumar Singh, J)

Amrendra/-

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