

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.897 of 2016

Arising Out of PS.Case No. -36 Year- 2015 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

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1. Kauleshwar Nut @ Kaleshwar Nut son of Ganni Nut, resident of
Village- Malawan, P.S. Hilsa District Nalanda

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar

For the Opposite Party/s : Mr. Dasrath Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-01-2016

Petitioner being husband of the informant is languishing in custody since 15.10.2015 in a case registered for the offences punishable under Sections 498A/325 of the Indian Penal Code.

The accusation is of making assault and causing fracture injury.

It is submitted by learned counsel for the petitioner that final form has been submitted without any injury report as the injury was not caused to the informant in the present incidence. Moreover the investigation has already concluded. A statement to that effect has been made in para 6 of the petition which reads as follows:-

“That from perusal of the

F.I.R, it is stated that the informant was brutally assaulted by the petitioner but no injury report of the informant was found by the I.O. during course of investigation and the charge-sheet has been

submitted in this case without any injury report which shows that allegation of assault is totally false.”

It is further submitted that petitioner is still ready to keep the informant with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That the petitioner is still ready to keep the informant with all respects and dignity but she is not ready to live with the petitioner”

It is submitted by learned counsel for the informant that petitioner caused fracture injury to the informant and earlier also a case with similar accusation was filed in 2013 which ended into compromise and thereafter the torture was inflicted again.

Considering the fact that investigation has already concluded and petitioner is ready to keep the informant with dignity and honour, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 36 of 2015.

(Dinesh Kumar Singh, J)

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