

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27154 of 2016

Arising Out of PS.Case No. -100 Year- 2014 Thana -BATHNAHA District- SITAMARHI

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Satyajeet Bhagat S/o Ramshresth Bhagat R/o village - Haribela, P.S.
Batnaha, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Nutan Kumari D/o Mithilesh Mahto R/o village - Kanhauli, P.S.
Kanhauli, District - Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. App R. P. S .Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-06-2016 Heard learned counsels for the petitioner and the State.

Petitioner being the husband of the informant is languishing in custody since 07.04.2016 in a case registered for the offences punishable under Sections 323, 379, 498(A) and 307/34 of the Indian Penal Code.

The basic accusation is of torture and assaulting the informant brutally causing abortion.

It is submitted by learned counsel for the petitioner that the petitioner was forced to marriage with the informant who was already married. The petitioner filed Matrimonial Suit No. 15 of 2014 on 23.01.2014 for declaring the marriage null and void

and thereafter the complaint case was filed on 07.03.2014 which came to be registered as police case on 24.03.2014.

It is submitted by the learned counsel for the informant that anticipatory bail has been rejected by the Apex Court. It is further submitted that the petitioner has been directed to make payment of interim maintenance amount Rs. 7000/- per month and also Rs. 3000/- as litigation cost per month to the Opposite Party No. 2 from the date of order i.e. 14.09.2015 awarded by Principal Judge, Family Court, Sitamarhi in Matrimonial Suit No. 15 of 2014, but the petitioner has not paid the said amount till date.

It is submitted by learned counsel for the petitioner that the petitioner has challenged the order dated 14.09.2015 passed in Matrimonial Suit No.15 of 2014 by Principal Judge, Family Court, Sitamarhi.

Considering the above facts, the above named petitioner is directed to be released on bail provisionally for two months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Batnaha P.S. Case No. 100 of 2014.

The provisional bail of the petitioner will be

confirmed by the learned court below after payment of 50% of
the arrears of interim maintenance and litigation cost.

(Dinesh Kumar Singh, J)

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