

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.22608 of 2016**

Arising Out of Complaint Case No.. -1266 Year- 2014 Thana -VAISALI COMPLAINT CASE  
District- VAISHALI(HAJIPUR)

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Mahesh Rai, son of Durga Rai

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. A.Dayal(App)

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

2 19-05-2016

Heard learned counsels for the petitioner and the  
  
State.

The petitioner being the husband of the complainant is languishing in custody since 28.03.2016 in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under section 498A of the Indian Penal Code.

Basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant but the petitioner filed Matrimonial Suit No.34/2014 with a prayer for divorce on 01.02.2014 before the Principal Judge, Family Court, Vaishali at Hajipur and, thereafter, the present complaint has been filed.

Considering the nature of accusation and filing of matrimonial suit at earlier point of time, let the above named petitioner 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 Judicial Magistrate, 1st Class, Vaishali at Hajipur, in connection with Complaint Case No.1266/2014.

**(Dinesh Kumar Singh, J)**

Ashwini/-

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