

Arising Out of PS.Case No. -118 Year- 2015 Thana -JANTA BAZAR District- SARAN

.... Petitioner/s

1. The State of Bihar
2. Gyanti Thakur w/o Sri Hari Singh and D/o Late Sri Satya Narayan Thakur,

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

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate  
Mr. Rakesh Singh and Ms. Meera Singh, Advocates  
For the State : Mr. Ashraf Ansari (App)  
For the Informant : Mr. Rama Kant Sharma, Sr. Advocate  
Mr. Rajesh Kumar, Advocate

It is submitted by learned senior counsel for the petitioner that the marriage between the petitioner and the informant was performed on 08.05.2002, subsequently, both the couple shifted to Kenya. The petitioner returned from Kenya in 2011 and filed Divorce Case No.197/2015 on 08.09.2015 wherein notices were issued on 03.11.2015 and, thereafter, the present case

was filed on 18.11.2015. The informant still resides in Kenya.

It is submitted by learned senior counsel for the informant that the petitioner not only tortured the informant in Kenya but also gave threat subsequently after his return to India. The informant was subjected to unnatural offence in Kenya in 2008, which is supported by the medical evidence. On conclusion of investigation, the petitioner has been charge-sheeted under sections 341, 323, 498A, 377 and 504/34 of the Indian Penal Code. The copy of final form (charge-sheet) has been filed on behalf of the informant annexing with the counter affidavit.

Learned senior counsel for the petitioner further submits that neither there is any accusation under section 377 IPC in the FIR, nor in the further statement of the informant, nor final form (charge-sheet) discloses any material on the basis of which the final form (charge-sheet) has been submitted under section 377 IPC.

Considering the nature of accusation in the FIR and the material collected during investigation as stipulated in the final form (charge-sheet) coupled with the fact that the investigation has already concluded, 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

ACJM, Saran at Chapra in connection with Janta Bazar P.S. Case No.118/2015.

Learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions and the petitioner will leave the country with permission of the learned court below.

**(Dinesh Kumar Singh, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|