

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6480 of 2016

Arising Out of PS.Case No. -1739 Year- 2011 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Sanjay Kumar Bhagat Son of Umesh Bhagat Resident of Village Govindpur Kachahari P.s Bidupur District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bindu Devi wife of Sanjay Kumar Bhagat, Daughter of Devi Bhagat Resident of Village Govindpur Kachahari P.s Bidupur District Vaishali.at Presently residing at Village Shahpur Undi, P.s Patori, District Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pranav Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-02-2016 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that petitioner admits the marriage with the complainant and is ready to keep the complainant as wife with due dignity and honour. The complainant has performed second marriage. The matter was referred to the mediation by

the learned court below, but complainant failed to appear, as a result, mediation was not done, which get reflected from the impugned order:-

“From perusal of the record it appears that initially the case was sent to Mediation Centre for mediation. But from perusal of the report of Mediation Centre it appears that inspite of issuance of notice complainant did not appear, hence mediation could not be materialized.”

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Smt. Richa Bhargav, J.M., Ist Class, Samastipur in connection with Complaint Case No. 1739 of 2011, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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