

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19098 of 2016

Arising Out of PS.Case No. -60 Year- 2014 Thana -PATNA COMPLAINT CASE District- PATNA

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Ajay Sao son of late Hira Sao

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the complainant is apprehending arrest 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.

The basic accusation is of torture. It is also alleged that the complainant gave ₹1 lakh to the petitioner but the petitioner did not return the same.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the daughter of the complainant and she is residing with the petitioner as the issue has been resolved, statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the girl is residing with the petitioner

therefore no grievance remain between husband and wife.”

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Barh, Patna in connection with Complaint Case No. 60C of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner undertakes to produce the daughter of the complainant before the learned court below within four weeks and if the daughter of the complainant admits that she is residing with the petitioner then the provisional bail of the petitioner will be confirmed by the learned court below otherwise the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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