

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32210 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -MAHILA P.S. District- KISANGANJ

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Ratnesh Kumar Thakur @ Dr. Ratnesh Kumar Thakur

.... Petitioner/s

Versus

1. State of Bihar
2. Archana Anand

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Prakash

For the Opposite Party/s : Mr. Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 31-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the informant is languishing in custody since 14.6.2016 in a case registered under Sections 498A, 494,309,323,325,504 and 506/34 of the Indian Penal Code.

The basic accusation is of torture, making assault and performance of second marriage.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant and the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition which reads as follows:

“That it is submitted that the petitioner still has all love and affection for her and he wants to and is always ready to keep the informant with him with all love and dignity.....”

Further statement has been made in paragraph 15 of the petition that the petitioner has not performed second marriage which reads as follows:

“That the petitioner has not solemnized any second marriage with anybody.”

It is submitted by learned counsel for the informant that due to assault substantial injury was caused to the ear of the informant and the petitioner has performed second marriage. Counter affidavit has been filed on behalf of the informant which shows the medical document of the informant dated 28.3.2016 whereas the date of occurrence mentioned in the FIR is 15.5.2016, hence it is submitted by learned counsel for the petitioner that the informant underwent some operation much prior to the occurrence and on the basis of the same the petitioner is sought to be maliciously prosecuted.

Considering the nature of accusation and the documents on record, 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 S.D.J.M., Kishanganj in connection with Kishanganj Mahila P.S. Case No. 16 of 2016.

(Dinesh Kumar Singh, J)

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