

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31122 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana -KHAGAUL District- PATNA

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Sanjesh Kumar Gunjan son of Sri Sidhanath Yadav resident of
Village/Mohalla- R.P.S. More, Near Kali Mandir, UCO Bank Colony Road
No.-5, Danapur, P.S.- Rupaspur, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is languishing in jail since 13.06.2016 in a case registered for the offences punishable under Section 498A of the IPC.

The prosecution case is that on 07.06.2016 at about 4PM, the informant along with his her parents and children were going to Anishabad to purchase house hold articles when the petitioner along with two other persons came on motorcycle and started abusing the father of the informant and slapped the informant by pulling her hair.

It is submitted by learned counsel for the petitioner that at earlier point of time also, the informant's side lodged Khagaul P.S.Case No. 151 of 2012 levelling accusation under

Sections 447, 341, 323, 504, 506 and 447/34 of the IPC and Khagaul P.S. Case No. 146 of 2015 levelling accusation under Section 323, 344, 504 and 506 of the IPC in which the petitioner is on bail, statement to that effect has been made in para 3 of the petition. It is further submitted that the petitioner has filed Matrimonial Suit No. 532 of 2011 for restitution of conjugal right which ended into compromise and thereafter the petitioner filed another Matrimonial Suit No. 221 of 2015 for restitution of conjugal right. Hence, it is submitted that in view of serious litigated relationship between the parties, the reconciliation between the petitioner and informant is not feasible, the same has also been recorded by the learned Sessions Judge.

Considering the nature of accusation, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of like amount each to the satisfaction of learned JM, 1st Class, Danapur in connection with Khagaul P.S. Case No. 92 of 2016.

(Dinesh Kumar Singh, J)

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