

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43428 of 2016

Arising Out of PS.Case No. -796 Year- 2015 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Jhulan Mistry, S/o Chhotey Lal Mistry, resident of Ahiyapur, P.S.-
Noorsarai, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

2 21-10-2016

Heard learned counsel for the petitioner

and the State.

The petitioner being the husband of the complainant is languishing in custody since 22.06.2016 in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 494 of the Indian Penal Code.

The basic accusation is of torture and performing second marriage.

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the complainant and birth of three children. The petitioner is still ready to keep the complainant and children as a wife with full dignity and honour.

It is submitted by the learned counsel for the complainant that though the petitioner has performed second marriage, but she is ready to reside with him and is not opposing the prayer for bail.

Considering the above fact, let the above named petitioner, be released on provisional bail for three months on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Nalanda at Bihar Sharif in connection with Complaint Case No. 796C of 2015.

The provisional bail of the petitioner will be confirmed by the learned court below when the petitioner will take the complainant and children and files affidavit to the effect that he is maintaining the complainant and children.

(Dinesh Kumar Singh, J)

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