

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39365 of 2015

Arising Out of PS.Case No. -978 Year- 2011 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Rabindra Yadav, Son of Mahabir Yadav, Resident of Village- Piprahi, P.S.-
Ghailar, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mina Devi, W/o Rabindra Yadav, D/o- Chanardeo Yadav, R/o Village-
Piprahi, P.S.- Ghailar, Distt- Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kuber Pathak

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 17-02-2016

Heard learned counsels for the petitioner

and the State.

The petitioner has renewed his prayer for
antic in a complaint case wherein processes have been directed
to be issued after cognizance being taken for the offences
punishable under Sections 323 and 498A of the Indian Penal
Code.

The basic accusation is of torture.

On submission made by the learned
counsel for the petitioner that the petitioner disputes the factum
of marriage between the petitioner and the complainant, the

petitioner was granted provisional anticipatory bail for one year which was to be confirmed by the learned court below if the learned court below comes to a conclusion that the petitioner never married with the complainant otherwise the petitioner was directed to surrender and pray for regular bail.

The order dated 07.06.2014 of the learned court below reflects that the learned court below came to the conclusion that the petitioner performed marriage with the complainant and hence, the provisional bail was not confirmed.

In the circumstances, this Court is not inclined to reconsider the prayer for anticipatory bail of the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. C-978 of 2011 pending in the court of learned SDJM, Madhepura.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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