

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28383 of 2016

Arising Out of PS.Case No. -1024 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Sachin Kumar Mishra @ Sonu Mishra S/o Madhusudan Mishra R/o Lakri
Dhahi Chowk, Chandwara, P.S.- Town, Dist- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Usha Mishra W/o Sachin Kumar Mishra @ Sonu Mishra R/o Chowk,
P.S.- Town, District- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 12-07-2016

Heard learned counsels for the petitioner
and the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein process has been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A and
494 of the Indian Penal Code.

The basic accusation is of torture and
performing second marriage.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the

complainant. The petitioner filed Matrimonial Suit No. 297 of 2010 for dissolution of the marriage and four years thereafter the present complaint was filed. The complainant has performed second marriage with one Man Singh.

Considering the filing of matrimonial suit at earlier point of time, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1024 of 2014/ Trial No. 2355 of 2016 pending in the court of learned Sub-divisional Judicial Magistrate (East), Muzaffarpur. It is expected from the learned court below to dispose of the bail application of the petitioner preferably on the same day.

With the aforesaid observation, this application is disposed of.

(Dinesh Kumar Singh, J)

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