

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27478 of 2016

Arising Out of PS.Case No. -164 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

Indrajeet Kumar @ Subodh Sah S/o Suresh sah

.... Petitioner/s

Versus

1. The State of Bihar

2. Lata Devi W/o Indrajeet Kumar @ Subodh Sah, D/o Pulkit Prasad Gupta

.... Opposite Party/s

Appearance :

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

For the complainant : Mr. Raj Dular Sah, Advocate

For the State : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-07-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant
is apprehending 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.

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.
Earlier the complainant filed Complaint Case No.909C/2011
wherein this Court granted provisional anticipatory bail to the



petitioner vide Criminal Miscellaneous No.42753/2012 on the readiness of the petitioner to make payment of Rs.1000/- per month to the complainant. The provisional bail was to be confirmed by the learned Court below '*either the complainant resumes the conjugal life or she accepts the amount offered by the petitioner or she refuses both the offers.*' If the complainant accepts the offer of the monthly payment the complainant was to supply her bank account number to the petitioner by submitting the same on affidavit before the learned court below. It is further submitted that the petitioner could make payment of the monthly amount or took the complainant to resume the conjugal life since the complainant did not appear before the learned Court below. Hence, the provisional bail of the petitioner could not be confirmed.

It is submitted by learned counsel for the complainant that the complainant is ready to resume the conjugal life. The learned counsel for the petitioner submits that the petitioner accepts the offer of the complainant.

Under the circumstances, let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.164C/2015, pending before the learned

Judicial Magistrate, 1st Class, Khagaria.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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