

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46665 of 2015

Arising Out of PS.Case No. -1733 Year- 2014 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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1. Anand Tiwari @ Anand Kumar Tiwari Son of Late Sukhal Tiwari,
Resident of Village- Teliya, P.S. Basantpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Arti Divedi, Daughter of Late Baijnath Dubey, Resident of
Village Jamo Jalalpur, P.S. Jamo District Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Kumar Virendra Narayan (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

5 12-07-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the complainant but the differences arose since the complainant is a teacher in the Government school whereas the petitioner is a Peon in some private college. The petitioner has filed

Matrimonial Suit No. 137 of 2013 with a prayer for divorce on 24.06.2013, thereafter the present complaint has been filed on 30.06.2014.

None appears on behalf of opposite party no. 2.

Considering the filing of Matrimonial Suit at earlier point of time, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, 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, Siwan in connection with Complaint Case No. 1733 of 2014, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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