

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7591 of 2016

Complaint Case No. -550 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Savivek Srivastava @ Savivek @ Nitu Pramod Srivastava, Son of Shri
Pramod Kr. Srivastava

.... Petitioner/s

Versus

1. State of Bihar
2. Nitika Nidhi, wife of Sri Savivek Shrivastava @ Nitu

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Shekhar

For the Opposite Party/s : Mr. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-02-2016

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 Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant in 2011 but the petitioner filed matrimonial case being P.A. No.118/2013 on 29.01.2013 at Pune with a prayer for divorce and thereafter the present complaint was been filed on 12.03.2013. The complainant has filed Transfer Petition (Civil) No.1261/2015 before the Apex Court for transferring

matrimonial suit being P.A. No.118/2013 from Pune to Motihari at East Champaran. The transfer petition is still pending and the matter has been referred to the Supreme Court Mediation Centre.

Considering filing of matrimonial suit at earlier point of time and the fact that the matter has been referred to the Supreme Court Mediation Centre, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran, Motihari in connection with Trial No.3068/2014 arising out of Complaint Case No.550C/2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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