

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17967 of 2016

Arising Out of Complaint Case No.. -1255 Year- 2014 Thana -WEST CHAMPARAN
COMPLAINT District- WESTCHAMPARAN(BETTIAH)

=====

Suresh Kumar, son of late Dhrub Shankar Prasad

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Md . Ansural Haque (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner being father of 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 498, 494/34 of the Indian Penal Code.

Accusation is of torture and performing second marriage by the husband of the complainant.

It is submitted by learned counsel for the petitioner that the thrust of accusation is against the husband of the complainant and the petitioner claims to be separate from the husband of the complainant. It is further submitted that the petitioner has no objection in allowing the complainant to enjoy her share of property in the matrimonial house.

Considering the aforesaid facts, 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, West Champaran, Bettiah in connection with Complaint Case No.1255 C/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on filing of affidavit to the effect that he will not interfere into the conjugal rights of the complainant and allow the complainant to enjoy her share property in matrimonial house. It is expected that the learned Court below shall get the said affidavit transmitted to the concerned police station.

(Dinesh Kumar Singh, J)

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