

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42484 of 2016

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1. Prince Kumar son of Shri Kumar Gajendra Thakur, Resident of Mohalla- New Muhalla Chhatauni Bazar, Police Station- Chhatauni, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sonam Bharti wife of Prince Kumar, D/o Anil Kumar Singh, Resident of Villlage- Gamahariya, P.S.- Mejorganj, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-09-2016

The petitioner being husband of the complainant is languishing in custody since 18.08.2016 in a complaint case wherein processes were 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 learned counsel for the petitioner that petitioner admits his marriage with the complainant and is still ready to keep the complainant as wife with dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

“That the complainant/opposite party No. 2 from some mental disorder(phobia) and reason best known to her she withdraw herself from the society of the petitioner without any sufficient

reason and filed the present case with a concocted story and also filed Maintenance Case No. 123 of 2016 dated 17.08.2016 although the petitioner still ready to keep her with full dignity and honour.”

It is further submitted that though the petitioner has earlier filed matrimonial suit with a prayer for divorce but the same has already been dismissed, though statement to that effect has not been made in the petition.

Considering the present stand of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Complaint Case No. 825 of 2015, Trial No. 2207 of 2016.

(Dinesh Kumar Singh, J)

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