

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43225 of 2016

Arising Out of PS.Case No. -6404 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Krishna Lal @ Kishan Kumar @ Kishan Lal, son of Rajendra Lal,
resident of Mohalla-Kalali Road, Garh Par Nawadah, P.O
+P.S.+District-Nawadah

.... Petitioner/s

Versus

1. The State of Bihar
2. Kumari Nishi @ Nisha Devi, wife of Krishna Lal @ Kishan Kumar
daughter of Vinod Lal, resident of Village-Manjheway, P.S.-Hisua,
District-Nawadah

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-09-2016

The petitioner being husband of the complainant is languishing in custody since 10.07.2016 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 but the petitioner filed Matrimonial Suit No. 67 of 2015 with a prayer for divorce on 18.03.2015 and thereafter the present complaint was filed on 25.06.2016.

It is submitted by learned counsel for the complainant that at present the complainant claims some maintenance.

Considering the filing of the matrimonial suit at earlier point of time and the claim of the complainant for maintenance only which can be granted in appropriate proceeding, 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 Additional Chief Judicial Magistrate, IIIrd, Nawadah in connection with Complaint Case No. 6404 of 2015.

Shageer/-

(Dinesh Kumar Singh, J)

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