

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58350 of 2015

Arising Out of PS.Case No. -25517 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Niranjana Kumar Son of Uma Kant Prasad Resident of C/o- Rajesh Kumar Sinha Sudarshan Bihar South East Cone/Corner Patna Central School, P.S.- Ramkrishna nagar, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Baby Sapna, Daughter of Sri Alok Kumar Resident of Village - Devi Asthan Lane, Cheriyanter, P.S.- Jakkanpur, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv

For the Opposite Party/s : Mr. Ajay Kr.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016 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 offence punishable under Section 498A of the Indian Penal Code.

The accusation is of torture.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner stated that he is ready to keep her wife and daughter with full dignity.”

It is further submitted that the complainant had earlier filed Matrimonial Case No. 6089 of 2014 for dissolution of marriage and Maintenance Case No. 1850 of 2014. The complainant had refused to stay with the petitioner.

Considering the nature of accusation against the petitioner, present stand of the petitioner and matrimonial case filed by the complainant, 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 twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. First Class, Patna in connection with Complaint Case No. 25517(C) of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of bail to the petitioner will not preclude the complainant to resume the conjugal life and if she files any such application before the learned Court below then the learned Court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

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