

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39239 of 2016

Arising Out of PS.Case No. -89 Year- 2016 Thana -SARAN COMPLAINT CASE District- SARAN
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1. Raju Ram Son of Jamadar Ram resident of Village- Taraiya Basant, P.S.-
Taraiya, Distt- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Pratima Devi wife of Raj Kishore Rai, Daughter of Jai Ra, resident of
Village- Taraiya Basant, P.S.- Taraiya, Distt- Saran.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Parmanand Kumar
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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 04-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being younger brother of the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

The prosecution case, as per the complaint petition filed by Pratima Devi on 11.1.2016, is to the effect that she got married with the brother of the petitioner Raj Kishore Ram on 30.4.1996. At the time of marriage the husband of the complainant was a student but in 1998 he became an officer and posted at Shilong. The complainant went to Shilong to find that her husband Raj

Kishore Ram was living with one Christina Mauri as husband and wife. Subsequently the husband of the complainant filed Matrimonial Suit with prayer for divorce. On return from Shilong the complainant was being assaulted by the accused persons and thereafter this petitioner reached the complainant to her parents house.

It is submitted by the learned counsel for the petitioner that the thrust of accusation is against the husband of the complainant. The only specific accusation against the petitioner is that he reached the complainant to her parents house. It is further submitted that the matrimonial suit was filed by the husband at earlier point of time.

Learned Sessions Judge has disposed of the anticipatory bail application of the petitioner since only summons were issued. Statement has been made in paragraph 12 of the petition that warrant of arrest has been issued by the learned court below vide order dated 18.8.2016.

Considering the thrust of accusation against the husband of 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
ACJM-IX, Saran at Chapra in connection with Complaint Case
No.89 of 2016 subject to the conditions as laid down under
Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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