

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20347 of 2016

Arising Out of Complaint Case No.. -2603 Year- 2014 Thana -SARAN COMPLAINT CASE
District- SARAN

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Harihar Prasad Yadav

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Awadhesh Kumar Singh (App)

For the complainant : Mr. Ravi Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-05-2016

Heard learned counsels for the petitioner, informant 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 Section 498A of the
Indian Penal Code.

Basic accusation is of torture.

It is submitted by learned counsel for the petitioner that
the son of the petitioner was married with the complainant but on
the date of marriage the complainant was carrying pregnancy of
22 weeks as a result the son of the petitioner filed Matrimonial
Suit No.278/2014 which was decreed *ex parte* and the marriage
between the son of the petitioner and the informant Rekha Devi
was annulled by the decree of nullity and thereafter the order of

cognizance in the present case was passed on 27.04.2015. It is further submitted that the accusation is not specific against the petitioner and the thrust of accusation is against the husband of the informant, who has been granted anticipatory bail on the ground that matrimonial suit was filed prior to the order taking cognizance.

It is submitted by learned counsel for the informant that accusation of torture has been levelled against the petitioner also.

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 SDJM, Saran at Chapra, in connection with Complaint Case No.2603/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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