

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30946 of 2016

Arising Out of PS.Case No. -195 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Ram Autar Das Son of Sitaram Das resident of Village-Bahera @
Bairaha, P.S.-Bathnaha, District-Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Radha Devi W/o Ram Autar Das D/o Soman Das, R/o village- Benipur,
P.S. - Aurai, District- Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 26-07-2016 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant
is languishing in jail since 24.05.2016 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 IPC.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner
that the petitioner admits his marriage with the complainant on
20.05.2013 but subsequent to the marriage the petitioner came to
know the complainant was already married with one Santosh Das
hence the petitioner filed Matrimonial Case No. 184 of 2014 on

5.11.2014 with a prayer for divorce. Thereafter the present complaint was filed on 12.02.2015. It is further submitted that now the complainant has performed third marriage.

It is submitted by the learned counsel for the complainant that petitioner has also performed second marriage. Hence the complaint wants that her belongings along with the money which was spent in the marriage should be returned.

Considering the filing of Matrimonial Suit at earlier point of time and this fact has not been disputed controverted by learned counsel for the complaint that complainant has performed two marriage apart from marriage performed with the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Complaint case CI-195 of 2015.

(Dinesh Kumar Singh, J)

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