

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32848 of 2016

Arising Out of Complaint Case No. -3505 Year- 2014 Thana -VAISALI COMPLAINT CASE
District- VAISHALI(HAJIPUR)

=====

Dayanand Bhagat S/o Late Dhodha Bhagat

.... Petitioner/s

Versus

1. The State of Bihar
2. Chandra kala Devi W/o of Shipujan Prasad daughter of Umesh Bhagat
Present

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Mauli Chaurasia, Advocate

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the cousin 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 after 9 years of marriage. It is also alleged that the husband of the complainant used to commit unnatural offence with the complainant whereas it is alleged against the petitioner and other family members of the husband of the complainant that they made assault to the complainant.

It is submitted by learned counsel for the petitioner that

the petitioner is cousin brother of the husband of the complainant and he resides at Delhi. The petitioner has been roped in the present complaint since he attempted to get the issue reconciled. Initially, the police on conclusion of investigation submitted final report and the petitioner was not sent for trial but on protest-cum-complaint petition, the learned Magistrate took cognizance against the petitioner also. Moreover, the thrust of accusation is against the husband of the complainant.

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 Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Complaint Case No.C1-3505/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--