

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46631 of 2015

Arising Out of PS.Case No. -3550 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Suman Paswan Son of Late Mahendra Paswan resident of village -
Lalpura Bathuaha, P.S. Saraiya, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sharda Devi Wife of Suman Paswan resident of village - Lalpura
Bathuaha, P.S. Saraiya, District - Muzaffarpur, Presently resident with her
father namely Nandu Paswan, resident of village - Manipur Madarana, P.S.
Vaishali, District - Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Indu Bala Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 28-04-2016 Heard learned counsel for the petitioner and the

State.

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

The basic accusation is of torture.

The marriage between petitioner and complainant and birth of two children are admitted facts.

It is submitted by the learned counsel for the petitioner that accusation of assault and torture is

absolutely false, but the petitioner is not ready to keep the complainant and children.

However, learned counsel for the complainant submits that complainant is ready to resume the conjugal life. Though, the petitioner has filed Matrimonial Suit No. 412 of 2013 with a prayer for divorce subsequently after filing of the present case.

Considering the present stand of the petitioner, it is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Complaint Case No. 3550 of 2013, pending in the court of learned Sri Akhilesh Kumar, J.M., Ist Class, Vaishali at Hajipur.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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