

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38948 of 2016

Arising Out of Complaint Case No. -1586 Year- 2013 Thana -GAYA COMPLAINT CASE District-
GAYA

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Mahendra Prasad s/o of Late Punit Prasad

.... Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi wife of Sri Mahendra Prasad

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Smt. Asha Devi, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being 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 40 years of marriage.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is aged about 71 years. It is further submitted that the complainant in her S.A., while answering the query to the court, has admitted that the present complaint has been filed at the behest of the son of the complainant since he was getting nothing from the pensionary benefits of the petitioner.

Considering the nature of accusation after 40 years of marriage and the admission of the complainant during her S.A., 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, Gaya, in connection with Tr. No.3003/2015 arising out of Complaint Case No.1586/2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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