

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40694 of 2016

Arising Out of PS.Case No. -1043 Year- 2008 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Md. Yusuf S/o Md. Yunus resident of Gandhipath, Ward No. 8, P.S. -
Saharsa, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shahnaj Parveen W/o Md. Yusuf, D/o Abdul Hakim resident of Mohalla
- Gandhipath, Saharsa, Ward No. 21, P.S. - Saharsa, District - Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Uday Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 21-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is languishing in custody since 20.7.2016 in a complaint case in which process has been directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that though the complaint was filed in 2008 but the petitioner could not appear since he is working abroad. The order of cognizance has been challenged by the other co accused in Cr. Misc. No. 14365 of 2015 wherein by a co-ordinate bench of this

court further proceeding of Complaint Case No. 1043 of 2008 has been stayed. Hence, there is no likelihood of the trial being concluded in near future as the said application has been admitted for hearing.

Considering the aforesaid facts, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa in connection with Complaint Case No. 1043 of 2008.

The learned court below shall be at liberty to cancel the bail bonds of the petitioner in case the petitioner defaults without any reasonable cause on three consecutive occasions.

(Dinesh Kumar Singh, J)

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