

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27730 of 2016

Arising Out of PS.Case No. -158 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Anand Kumar Mahto S/o Naresh Mahto Resident of Village Musapur,
P.S. Ghataho, District Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Baby Devi W/o Anand Kumar Mahto Resident of Village Musapur, P.S. -
Ghataho, District - Samastipur, At present D/o Ganpat Mahto, Resident of
Village Mahdopur, P.S. Ghataho, District Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Mujtabaul Haque

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 04-10-2016 This matter is listed under the heading 'For
Orders (on office note)' but since the complainant has
entered appearance and the petitioner is also present, this
matter is being taken up on merits.

Heard learned counsels for the petitioner,
complainant and the State.

The petitioner being husband of the
complainant is apprehending arrest in a complaint case
in which process has 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.

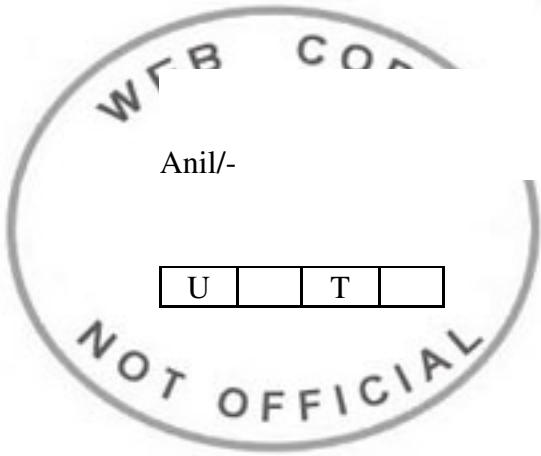
It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant but they both have parted ways with mutual agreement and the petitioner has returned all the articles of the complainant and both are residing separately since long. The petitioner and the complainant are present.

Learned counsel for the complainant submits that the complainant is not controverting the submissions of learned counsel for the petitioner and she is not claiming anything against the petitioner nor opposing the prayer for bail of the petitioner though no affidavit to that effect has been filed.

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 twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Samastipur, in connection with C.R. No. 158 of 2014. subject to the conditions as laid



down under Section 438(2) Cr.P.C.



Anil/-

(Dinesh Kumar Singh, J)