

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59218 of 2018

Arising Out of PS.Case No. -160 Year- 2017 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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Kamlesh Kumar @ Monu Son of late Rajendra Lal Resident of Vishnugarh
Cherara Satyamail Chowk, P.S. Vishnugarh, District- Hazaribagh
(Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suhani Kumari D/o Hazari Lal Resident of Main Road, Chamar Toli
Gali, P.S. Warsaliganj, District- Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Suresh Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**
ORAL ORDER

02/ 28.09.2018 Heard learned counsel for the petitioner as well as

learned Addl. Public Prosecutor for the State and learned

counsel for the complainant.

Petitioner apprehends his arrest in connection with

Complaint case no. 160/2017 in which cognizance has been

taken for the offence under Section 498A of the IPC and ¾

of the D.P. Act.

Petitioner happens to be husband of the

complainant but submission on behalf of the petitioner is

that petitioner filed divorce suit against the complainant and

a competent court passed the decree of divorce dissolving



the marriage of petitioner and complainant.

Learned counsel for the complainant submits that the decree of divorce was taken by petitioner without giving any notice to the complainant and the complainant has to file petition for setting aside the ex parte decree of divorce.

Considering the aforesaid facts and circumstances as well as submissions of the parties, in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Nawada in Complaint case no. 160/2017 subject to condition as laid down under section 438(2) of the Cr.P.C.

Shahid/Abhijeet

(Hemant Kumar Srivastava,J)

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