

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30034 of 2019

Arising Out of PS. Case No.-994 Year-2015 Thana- COMPLAINT CASE District- Araria

SANTOSH KUMAR MANDAL @ SANTOSH KR. MANDAL Son of
Yoganand Mandal Resident of Village - Ararbari, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kiran Devi D/o- Ganga Prasad Mandal, Wife of Santosh Kumar Mandal
Resident of Village - Mahendrapur, P.S.- Palasi, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Adv.

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 20-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner was granted provisional bail for three months vide order dated 06.05.2019 in a complaint case wherein process has been directed to be issued after cognizance being taken for the offence punishable under Section 498A of the Indian Penal Code.

The accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner has filed Matrimonial Suit No. 05 of 2016 before the learned Principal Judge, Family Court, Araria with a prayer for annulment of marriage. The marriage is claimed to



have performed on 19.01.2015, whereas, the complainant filed the maintenance case in March, 2015 and moreover, the present complaint was filed in April, 2015.

It is submitted by learned counsel for the complainant that the complainant's matrimonial suit was filed subsequent to filing of the complaint case.

Considering the nature of accusation and the period under custody, the provisional bail granted to the petitioner vide order dated 06.05.2019 in connection with Complaint Case No. 994C of 2015, pending before the learned ACJM-VI, Araria is hereby confirmed.

(Dinesh Kumar Singh, J)

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