

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33180 of 2019

Arising Out of PS. Case No.-1886 Year-2012 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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KUSHMESH SINGH Son of Late Surya Govind Singh Resident of Village-
Bhikha Chhapra, P.S.- Kotwali Beriya, Dist.- Balia (U.P.)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Devi Wife of Kushmesh Singh Resident of Village- Bhikha Chhapra,
P.S.- Kotwali, Beriya, District- Balia (U.P) at present D/o Ravindra Singh,
Resident of Village- Aalampur, P.S.- Desari (Sahdei O.P.), District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 19-12-2019 Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State. Learned counsel for

the opposite party No. 2 is also present.

In pursuance of the earlier order dated 27.11.2019, the
petitioner and O.P. No. 2 are also present in Court today.

The petitioner apprehends his arrest in connection
with Complaint Case No. C₁-1886 of 2012 registered for the
offence punishable under Sections 498(A) of the Indian Penal
Code and Section 4 of the D.P. Act.



It appears after interaction that the parties have agreed to live together and in pursuance of the undertaking given to this Court, the petitioner has collected opposite party No. 2 from her maternal home and has taken her to the place where he resides and they are now living together since the past one week. It further appears from having interacted with them that the opposite party No. 2 is also willing to live with him so long as she is safe and secure and there is no recurrence of any such act which would amount to mental torture.

Considering the aforementioned facts and circumstances, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Vaishali at Hajipur in connection with Complaint Case No. C₁-1886 of 2012, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

It is made that if there is any recurrence of any such act which would amount to mental torture to the opposite party No. 2, it shall be open to her to move this Court or the Court of learned SDJM, Vaishali at Hajipur for appropriate relief in



accordance with law.

Consigned.

(Anjana Mishra, J)

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