

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64283 of 2022

Arising Out of PS. Case No.-2653 Year-2014 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Saraswati Devi W/o Ganesh Ram R/o Brahmain, P.S.- Uchakagaon, District-
Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Geeta Devi W/o Binda Ram @ Binda R/o Brahmain, P.S.- Uchakagaon,
District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate.
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-05-2023 Heard Mr. Pankaj Kumar Dubey, learned counsel

 appearing on behalf of the petitioner and Mr. Tarkeshwar Nath

 Thakur, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 2653 of 2014 registered for the
offence punishable under Sections 498(A) and 494 of the Indian
Penal Code.

3. The present case relates to matrimonial dispute
between the petitioner and the opposite party no.2 who are
husband and wife.

4. Learned counsel appearing on behalf of the
petitioner informs that he has received instruction from the
petitioner that opposite party no.2 is still residing with them in



her matrimonial home and no complaint has been made by her after lodging of the complaint which is the subject matter of the present bail application.

5. Considering the aforesaid fact, the court below is directed to call upon the opposite party no.2 and inquire from her as to whether she is still living in the matrimonial home and if the court below gets satisfied that the opposite party no.2 is living in her matrimonial home, the petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four 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 S.D.J.M., Gopalganj in connection with Complaint Case No. 2653 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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