

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7497 of 2015

Arising Out of PS.Case No. -581 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

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1. Md. Kalim @ Karu Son of late Mehdi Hasan
2. Bibi Sabra @ Kunkun Wife of Md. Kalim @ Karu
3. Md. Sheru Son of Md. Kalim @ Karu
All are residents of Mohalla - Mayaganj, P.S. - Barari, District -
Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar(APP)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 26-02-2015

Heard learned counsel for the petitioners and the
State.

The petitioner no. 3 being the husband of the
informant and petitioner nos. 1 and 2 are parents of petitioner
no. 3 are apprehending their arrest in a case registered for the
offences punishable under Sections 498A of the Indian Penal
Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

It is submitted by the learned counsel for the
petitioners that earlier also a complaint case was filed with
similar accusation in which the petitioners were granted
anticipatory bail on the basis of compromise and thereafter the
present case has been lodged. The petitioner no. 3 took a stand



before the learned court below that he is ready to keep the informant as wife with due dignity and honour. Similar is the stand before this Court. Statement to that effect has been made in para-19 of the petition. The learned counsel for the informant is ready to accept the offer of petitioner no. 3. Hence, reconciliation does not appear to be feasible at this venture. The petitioner no. 3 is ready to pay Rs.1,000/- per month from March 2015 to the informant by depositing the same in her account by second week of every month.

Considering the stand of petitioner no. 3, let the above named petitioners be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 581 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

It is expected from the informant to submit the bank account number by filing the same on affidavit before the learned court below within a period of three weeks. The aforesaid payment will be subject to any order being passed in matrimonial or maintenance proceedings.

Three consecutive defaults in making payment will give liberty to the informant to file application for cancellation

of bail of the petitioners.



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(Dinesh Kumar Singh, J)