

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22744 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -MAHESHKHUNT District- KHAGARIA

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1. Rajeev Chaurasia Son of Daso Chaurasia Resident of village - Hari Nagar, Police Station Gogri, District - Khagaria

.... Petitioner

Versus

1. The State of Bihar

2. Rupam Devi Daughter of Madan Chaurasia Resident of village - Gouchhari, Police Station - Mahesh Khunt, District - Khagaria

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Viveka Nandsingh

For the Opposite Parties : Mr. Shailendra Kumar No.2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-06-2015

Heard learned counsels for the petitioner

and the State.

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that earlier also the informant has filed Complaint Case No. 129C of 2011 against the petitioner wherein the petitioner has been granted anticipatory bail vide order dated 06.05.2015 passed in Cr. Misc. No. 17967 of 2014 on condition that petitioner will pay Rs. 1500/- per month to the informant which the petitioner claims that he is paying regularly.

It is submitted by learned counsel for the informant that petitioner is still inflicting torture but has not denied with regard to the payment as directed by this Court vide order dated 06.05.2015 passed in Cr. Misc. No. 17967 of 2014.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mahesh Khut P.S. Case No. 06 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The informant will be at liberty to file appropriate application for cancellation of bail of the petitioner, if the petitioner defaults for making payment of the maintenance amount as directed by a Co-ordinate bench of this Court.

(Dinesh Kumar Singh, J)

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