

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31261 of 2015

Arising Out of PS.Case No. -1586 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Surendra Sahu S/o Late Mahendra Sah Resident of village : Sahila, Police
Station : - Sonki, District : - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Madhu Devi W/o Surendra Das, D/o Ramchandra Sah Resident of
Village - Vsanthu, p.s. - Bisfi, District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. T.N.Thakur (App)

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

2 31-07-2015 Learned counsel for the petitioner is permitted to
make correction in the petition during course of the day.

Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case in
which processes have been directed to be issued after
cognizance being taken for the offences punishable under
Sections 498A, 379, 341, 323 of the Indian Penal Code and 3/4
of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the

petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para-5 of the petition.

Learned counsel for the complainant submits that the complainant is not ready to accept the offer of the petitioner due to past conduct of the petitioner and prays for grant of permanent alimony. Marriage between petitioner and complainant is admitted having no issue.

It is submitted by the learned counsel for the petitioner that reconciliation does not appear to be feasible at this venture. The petitioner is ready to pay Rs.1,000/- per month from September, 2015 to the complainant by depositing the same in her account by second week of every month.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of his 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) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhubani in connection with C.R. No. 1586 of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The counsel for the complainant undertakes to submit the bank account number of the complainant 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 complainant to file application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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