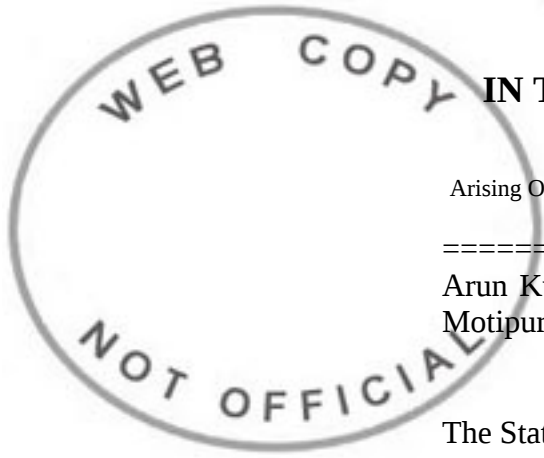




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38884 of 2015

Arising Out of PS.Case No. -434 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

=====

Arun Kumar son of Late Rudal Mahto, resident of Village-Basudev, P.S.-
Motipur, District-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Anant Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences under Sections 498A 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 on instruction that petitioner admits his marriage
with the complainant and submits that petitioner filed
Matrimonial Case No. 129 of 2013 for divorce on 09.04.2013
and thereafter the present complaint has been filed on
28.03.2014.

The petitioner is ready to make payment of Rs. 2000/- to the complainant from October, 2015 by depositing the same in the bank account of the complainant by second week of every month.

Considering the filing of matrimonial suit at earlier point of time and the present stand of the petitioner, 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 Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Complaint Case No. 434 of 2014.

The petitioner undertakes to serve a copy of this order to the complainant within a period of two weeks, when it is expected from the complainant to supply the bank account number within a period of three weeks thereafter by filing the same on affidavit before learned Court below. If the complainant fails to accept the payment, the same shall be deposited before learned Court below which will be subject to the result of the case.

The abovementioned payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making

payment will give liberty to the daughter of the complainant to file appropriate application for cancellation of bail of the petitioner.

Shageer/-

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(Dinesh Kumar Singh, J)