

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45393 of 2014

Arising Out of PS.Case No. -99 Year- 2014 Thana -WARSALIGANJ District- NAWADA

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Ritu Raj Prasad @ Ritu Raj Kumar @ Ritu Raj Son of Uma Charan Prasad
resident of Main Road, Warisaliganj, P.S.- Warisaliganj, Dist.- Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. Punam Kumari W/o Ritu Raj Kumar, D/o Suresh Prasad, R/o village –
Durgasthan, Hilsa, P.S. Hilsa, District – Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. A.L.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 02-04-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a case registered for the
offences punishable under Sections 341, 323, 307, 498A, 504,
120B the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The accusation is of torture for non-
fulfillment of the dowry and making attempt to kill the informant.

The petitioner and informant are present.

It is submitted by learned counsel for the
petitioner that the petitioner filed Matrimonial Suit No. 51 of 2014
on 28.02.2014, thereafter the FIR has been registered on

05.05.2014.

The marriage between the petitioner and the informant on 13.06.2012 is admitted.

Though, the informant is ready to reconcile the issue, but the offer of the informant is not acceptable to the petitioner since in matrimonial suit divorce has been filed on the ground of informant leading an adulterous life. However, petitioner is ready to pay Rs.3,000/- per month from May, 2015 to the informant by depositing the same in her account by second week of every month.

The offer of the petitioner is acceptable to the informant, who undertakes to submit the bank account number on affidavit before the learned court below on affidavit within a period of two weeks.

Considering the matrimonial suit filed prior to the lodging of the FIR and 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 bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Warsaliganj P.S. Case No.

99 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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

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

(Dinesh Kumar Singh, J)

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