

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14884 of 2015

Arising out of PS.Case No. -1883 Year- 2013 Thana -PATNA COMPLAINT CASE District- PATNA

Rajendra Kumar, Age about 31 S/o Mahendra Choudhary (Husband)
Resident of Village Andar Bazar, Masjid Gali, P.S. Chandradeep, District
Jamui and at present posted at Kapurthala at the officer of Deputy Chief
Material Manager, Sale/Depot, RCF/Kaputhala, Punjab.

.... Petitioner

Versus

- 1. The State of Bihar.
- 2. Jyoti Kumari, D/o Brij Bihari Choudhary, W/o Rajendra Kumar R/o
Lodipur, P.S. Gandhi Maidan, District Patna.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Bhim Sen Prasad, Advocate.
For the State : Mr. Nirmal Kumar Sinha (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 03-09-2015 Heard learned counsels for the petitioner, complainant
and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 1883(C) of 2013 for the offences
instituted under Section 498(A) of the IPC.

The accusation is of torture for non-fulfilment of dowry
demand by the accused persons.

It has jointly been submitted that the complainant will
withdraw the maintenance case and the petitioner shall also
withdraw the divorce case pending in the court below. It is further
submitted on their behalf that they are residing together and

leading conjugal life.

Considering the aforesaid submissions made on behalf of both the parties, the petitioner is directed to be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Complaint Case No. 1883(C) of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with the condition that the petitioner shall withdraw the divorce case pending in the court below and the complainant will also withdraw the maintenance case as undertaking given before this Court and a joint petition may also be filed on behalf of the parties in the present case before the learned court below so that the present prosecution also may be withdrawn.

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(Sudhir Singh, J)