

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51767 of 2014

Arising Out of PS.Case No. -879 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Shambhu Kumar @ Mister Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Binod Kumar 3 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 05-01-2015

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 cognizance has been taken under Sections 341, 323, 504, 406 and 498(A) of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demand.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the said effect has been made in paragraph 9 of the petition.

It is submitted on behalf of the petitioner that the petitioner is ready to pay Rs. 1500/-(fifteen hundred) per month to the complainant from March, 2015 by depositing the same in the bank account of the complainant by second week of every month.

Considering the stand of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of 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 Judicial Magistrate, 1st Class, Biharsharif, Nalanda, subject to the conditions as laid down under section 438(2) Cr.P.C.

The petitioner will serve a copy of this order to the complainant within a period of three weeks when it is expected that the informant will supply her bank account number to the petitioner by filing the same on affidavit before the learned court below.

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

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

(Dinesh Kumar Singh, J)

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