

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44559 of 2015

Arising Out of PS.Case No. -1014 Year- 2010 Thana -PATNA COMPLAINT CASE District-
PATNA

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Binod Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that though, the complaint was filed in the year 2010 but the order of cognizance was passed on 06.04.2013. It is further submitted that the petitioner admits his marriage with the complainant. The petitioner filed Matrimonial Suit No. 28 of 2009 for restitution of conjugal life but when the complainant refused to resume the

conjugal life then the said matrimonial suit was converted into a suit under Section 13 of the Hindu Marriage Act wherein in pursuance to the order passed by learned court below, the petitioner is making payment of ₹1200/- per month to the complainant.

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Patna in connection with Complaint Case No. 1014C of 2010, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner shall be accepted on filing proof with regard to up-to-date payment of maintenance amount as directed by the learned court below.

(Dinesh Kumar Singh, J)

Amrendra/-

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