

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23582 of 2015**

Arising Out of PS.Case No. -136 Year- 2013 Thana -BUXAR COMPLAINT CASE District-  
BUXAR

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1. Rajnish Kumar Keshari @ Ashu @ Rajnish Keshari, S/o Rajendra Prasad Keshari, Resident of Mohalla-B 35/35, Saraya Nandan Khojawa, P.S.-Bhalupar, District- Varanasi (U.P.)

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Shewata Keshari, W/o Rajnish Kumar Keshwari, D/o Kanahaiya Prasad Keshari, Resident of Village-Itari, P.S.-Itari, District-Buxar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Gupta  
For the Opposite Party/s : Mr. Shailendra Kumar No.2 (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

04/ 29-10-2015

Heard learned counsels for the petitioner and the State.

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

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

The petitioner and the complainant are present

in the Court.

Though, the complainant is ready to resume the conjugal life but the petitioner is not ready to accept the offer of the complainant at present due to the past conduct of the complainant, though, earlier a suit for restoration of conjugal life was filed by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner has made payment of up-to-date maintenance amount as directed by the learned court below in maintenance proceeding.

This contention of the petitioner has not been controverted by the learned counsel appearing for the complainant.

Counsel for the petitioner submits that the petitioner undertakes to make payment of maintenance amount regularly in every succeeding month.

Considering the above facts, 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, Buxar in connection with Complaint Case No. 136(C) of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The complainant will be at liberty to file application for cancellation of bail of the petitioner, if the petitioner defaults in making payment of maintenance amount as directed by the learned court below for three consecutive occasions.

**(Dinesh Kumar Singh, J.)**

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