

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53126 of 2015

Arising Out of PS.Case No. -2144 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Biresh Kumar Singh @ Biresh Singh, Son of Shri Binda Singh Resident
of Village- Pirapur, P.S.- Goraul, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rakhi Gunjan, Wife of Biresh Kumar Singh and Daughter of Raghunath
Singh at present reside at Village- Fatikbara, Post & P.S. Desari, District-
Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

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

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

2 23-11-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being husband of the petitioner is
apprehending arrest in a complaint case in which process has
been directed to be issued after cognizance being taken for
the offences punishable under Section 498A of the Indian
Penal Code and sections 3 and 4 of Dowry Prohibition Act.

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

It is submitted by the learned counsel for the
petitioner that the petitioner admits his marriage with the

complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 15 of the petition which reads as follows:

“That apart from above petitioner is ready to keep his wife/complainant.”

More over, the petitioner also filed Matrimonial Suit No.37 of 2013 for the restitution of conjugal rights but subsequently the complainant has filed Matrimonial Suit No. 61 of 2015 with a prayer for divorce.

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 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 SDJM, Vaishali at Hajipur in connection with Complaint Case No. 2144 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The present order will not preclude the complainant to resume conjugal life. In case she files such application before the learned court below then the learned

court below will issue notice to the petitioner to appear when
the petitioner will be obliged to comply the undertaking
given before this court.

(Dinesh Kumar Singh, J)

Anil/-

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