

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36266 of 2015

Arising Out of PS.Case No. -63 Year- 2013 Thana -PIPRA District- SUPAUL

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KUNDAN KUMAR SINGH@KUNDAN SINGH

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 354 and 323 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner was married with the informant on 09.07.2010 but on 07.01.2013, the petitioner filed Matrimonial Suit No. 03 of 2013 with a prayer for divorce and thereafter, the present case was registered 10.04.2013.

The petitioner is ready to pay ₹2,000/- per month to

the informant from October, 2015 by depositing the same in the bank account of the informant by second week of every month.

Considering the present 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 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, Supaul in connection with Pipra P.S. Case No. 63 of 2013, 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 informant 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 informant to file an application for cancellation of bail of the petitioner.

The present order will not preclude the parties to



resolve the issue otherwise.

If the informant fails to submit bank account then the aforesaid amount will be deposited before the learned court below which will be subject to the result of the present case.

(Dinesh Kumar Singh, J)

Amrendra/-

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