

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15835 of 2015

Arising Out of PS.Case No. -653 Year- 2013 Thana -COMPLAINT CASE District- LAKHISARAI

1. Jai Prakash Joshi Son of Sri Ayodhya Prasad Joshi Resident of Mohalla
- Ranibazar Gonda, P.S. and District - Gonda (U.P.).

.... Petitioner

Versus

1. The State of Bihar.
2. Sonam @ Sonu @ Suman Joshi D/o Sri Pawan Kumar Sharma Resident
of Purani Bazar, Chitranjan Road, Lakhisarai, P.S. and District -
Lakhisarai.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Ashok Kumar Singh

For the Opposite Parties : Mr. S.Eheteshmuddin(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 30-04-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences under Section 498A of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

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

The petitioner and the complainant are
present. The factum of marriage between the petitioner and the
complainant and birth of two children are admitted facts. The
children are staying with the petitioner. The petitioner is ready
to keep the complainant with dignity and honour but the
complainant is not ready to accept the offer of the petitioner
due to the past conduct of the petitioner and claims for
permanent alimony.

The petitioner is ready to make payment of Rs. 1500/- to the complainant from July, 2015, by depositing the same in the bank account of the complainant by second week of every month. The aforesaid offer is acceptable to the complainant who undertakes to supply the bank account number within a period of three weeks by filing the same on affidavit before learned Court below.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lakhisarai in connection with Complaint Case No. 653(C) of 2013.

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

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

The present order, in no way precludes the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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