

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39887 of 2014

Arising Out of Complaint Case No. -2328 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE
District- BEGUSARAI

=====

1. Md. Kalim Son of Late Md. Hasib Resident of Village - Old Sanha, P.S. -
Sahebpur Kamal, District - Begusarai

.... Petitioner

Versus

1. The State of Bihar
2. Ladali Khatoon Wife of Md. Kalim Resident of Village - Old Sanha, P.S.
- Sahebpur Kamal, District – Begusarai, at present D/o Md. Sabir, resident
of village Sale Chak, Barbighi, P.S. Balia, Dist. Begusarai.

.... Opposite Parties

=====

Appearance :

For the Petitioner : Mr. Bishweshwar Ram
For the Opposite Parties : Mr. Prem Kr.Jha(App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 25-06-2015 Heard learned counsel for the petitioner and the

State.

The petitioner being husband of the complainant apprehends his arrest in connection with complaint case no.2328C/2012, registered under Sections 498A, 323,379 of the IPC and Section 4 of the Dowry Prohibition Act.

It has been stated that the wedlock produced one female child. The allegation is that the complainant tortured on account of non fulfillment of dowry.

Learned counsel for the petitioner states that petitioner/husband is ready to support the wife and the child born

from the wedlock. The matrimonial discord could not be resolved which resulted in filing of the case. However, the petitioner is willing to resolve the same amicably and to support the wife/complainant and the child. In token he is ready to pay a sum of Rs. 5,000/- to the complainant.

Learned counsel for the Complainant, on the other hand, submitted that the petitioner has solemnized the second marriage which has been strongly refuted by the counsel for the petitioner.

Considering the aforesaid, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Begusarai in connection with Complaint case no.2328C/2012, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.



- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.
- (iii) Along with the bail bonds the petitioner shall produce a demand draft/bank instrument in the sum of Rs. 5,000/- (Five thousand) favouring the complainant and/or receipt showing the deposit of the aforesaid amount in the Nazarat of the Court which the complainant shall be entitled to withdraw.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--