

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21269 of 2015

Arising Out of PS.Case No. -1946 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Bhola Ram son of Ram Nath Dom

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rubi Devi wife of shri Bhola Ram, Daughter of Nunu Baskhor

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Opposite Party/s : Mr. S.M. Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant 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 Sections 498A, 323, 406, 504, 506 and 120B of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of the dowry demand. The factum of marriage between the petitioner and the complainant having no issue is admitted fact.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. Similar was the stand of the

petitioner before the learned court below but the complainant failed to appear.

Learned counsel for the complainant, on instruction, submits that due to criminal activities of the petitioner, the complainant is not ready to accept the offer of the petitioner.

In the alternative, the petitioner is ready to pay ₹1,200/- per month to the complainant from July, 2015 by depositing the same in the bank account of the complainant by second week of every month.

Learned counsel for the complainant, on instruction, submits that the offer of the petitioner is acceptable to the complainant who undertakes to supply her bank account number to the petitioner within a period of three weeks by filing the same on affidavit before the learned court below.

Considering the stand of the parties, 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 1946C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The aforesaid payment will be subject to any order being passed in matrimonial, maintenance or any other related proceedings.

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

This order will no way preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

Amrendra/-

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