

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17577 of 2015

Arising Out of PS.Case No. -165 Year- 2013 Thana -BISFI District- MADHUBANI

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Md. Badre Alam @ Badre Alam Son of Late Ajim

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh(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 informant is apprehending arrest in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner has divorced the informant as per Muslim rites and in pursuance of the order passed in M.R. Case No. 341 of 2013, the petitioner is making payment of the maintenance amount regularly.

It is submitted by learned counsel for the informant that the informant has not received the up-to-date maintenance amount.

Considering the nature of accusation and statement of learned counsel for 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Sadar, Madhubani in connection with Bisfi P.S. Case No. 165 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on verification of the fact that the petitioner has paid the up-to-date maintenance amount to the informant.

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 before the learned court below.

Ashwini/-

(Dinesh Kumar Singh, J)

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