

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25012 of 2015

Arising Out of PS.Case No. -1234 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Ajit Kumar Pathak @ Ajeet Kumar Pathak S/o Priya Brat Narayan Pathak
Resident of Village - Shahpur, P.S. - Chainpur, District - Palamu,
Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anjali Mishra W/o Ajit Kumar Pathak D/o Dr. Shri Krishna Mishra At
present Resident of Mohalla - Civil Line, Rauza Road No. - 1, Sasaram,
P.S. - Sasaram (Model), District - Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhu Prasun

For the Opposite Party/s : Mr. Ahmad Ali(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

03/ 13-07-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case
wherein processes have been directed to be issued after
cognizance being taken for the offences punishable under Section
498A the Indian Penal Code and 4 of Dowry Prohibition Act.

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

The marriage between the petitioner and the
complaint and birth of a female child are admitted facts.

The petitioner is ready to keep the complainant and the child with dignity and honour and in the restitution case the order was passed, but in spite of that complainant failed to resume the conjugal life.

The offer of the petitioner is not acceptable to the complainant as she is apprehensive due to the past conduct of the petitioner.

However, the petitioner is ready to pay Rs.1,500/- per month from August, 2015 to the complainant for the welfare of the child by depositing the same in her account by second week of every succeeding month.

The offer is acceptable to the complainant, who undertakes to supply the bank account number by submitting the same on affidavit before the learned court below within a period of two weeks.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve 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 learned Sub-divisional Judicial Magistrate, Sasaram, Rohtas in connection with Complaint Case

No. 1234 of 2013, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject
to any order being passed in matrimonial, maintenance or other
proceeding.

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

The present order, in no way, will preclude
the parties to settle the dispute otherwise.

(Dinesh Kumar Singh, J)

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