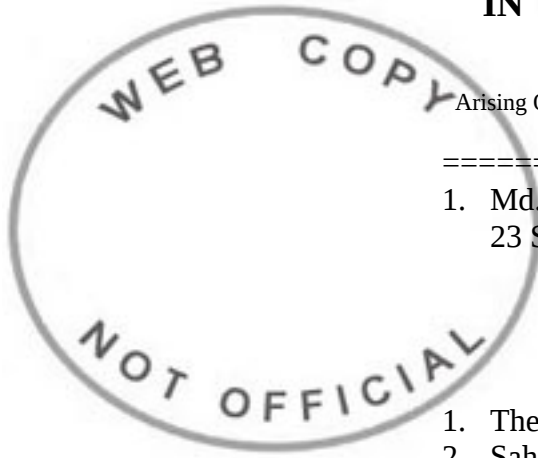




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10826 of 2015

Arising Out of PS.Case No. -574 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

=====

1. Md. Riyaz Son of Late Nazmun resident of Village Bhauwara Ward No.
23 Singhaniyan Chowk, P.S. Madhubani, District - Madhubani.

..... Petitioner

Versus

1. The State of Bihar.
2. Sahajahan Khatoon wife of Md. Riyaz Bhauara Singhiniya Chowk
Ward No. 23, P.S. Madhubani Town, District - Madhubani.

..... Opposite Parties

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav
For the Opposite Parties : Mr. M.K.Khare(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 21-05-2015 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 Sections 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 marriage between the petitioner and the
complainant and birth of a male child are admitted facts.

The petitioner is ready to keep the

complainant and their child with dignity and honour. The offer is not acceptable to the complainant due to the past conduct of the petitioner, however she claims permanent alimony.

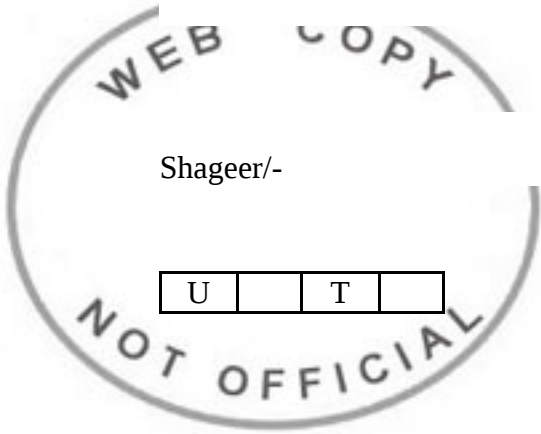
In the alternative, the petitioner is ready to make payment of Rs. 1800/- to the complainant for the welfare of the child from July, 2015, by depositing the same in the bank account of the complainant by second week of every succeeding month. The aforesaid offer is acceptable to the complainant who undertakes to supply her bank account number within a period of three weeks by submitting 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, Madhubani in connection with Complaint Case No. 574 of 2014, Trial No. 4890 of 2014.

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 will preclude
the parties to resolve the issue otherwise.



(Dinesh Kumar Singh, J)