

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46807 of 2014

Arising Out of PS.Case No. -56 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Mukesh Kumar Singh son of Ram Bahadur Singh resident of village -
Kamlawari, Police Station Jay Nagar, District - Madhubani

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prabha Singh

For the Opposite Party : Mr. Anil Kumar Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-04-2015

Petitioner being husband of the

complainant is apprehending his arrest in a complaint case
filed with accusation under Sections 323, 379, 498A of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It is submitted by learned counsel for the
petitioner that petitioner is ready to keep the complainant as
wife with full dignity and honour. The petitioner has filed
Matrimonial Case No. 14 of 2013 for restitution of conjugal life
in which the complainant appeared but she refused to live with
the petitioner. A statement to that effect has been made in para
11 of the petition which reads as follows:-

“That the petitioner has also filed
for restitution of conjugal life, a Matrimonial Case No.
14 of 2013 dated 18.01.2013 in the Court of Principal
Judge, Madhubani in which she has already been

appeared, but she has not prepared to live with her husband”

The marriage between the petitioner and the complainant having no issue is the admitted fact.

The petitioner is ready to make payment Rs. 1000/- to the complainant from June, 2015, by depositing the same in the bank account of the complainant by second week of every month.

Considering the stand of the petitioner, 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. 56 of 2013, Trial No. 4561 of 2014.

The petitioner will serve a copy of this order to the complainant within a period of two weeks from the date of receipt/production of the copy of order when it is expected from the complainant to supply her bank account number within a period of three weeks thereafter by filing the same on affidavit before learned Court below.

The aforesaid payments will be subject to any order being passed in matrimonial or maintenance proceeding.

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

Shageer/-

(Dinesh Kumar Singh, J)

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