

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44215 of 2015

Arising Out of PS.Case No. -2925 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Bivek Kumar @ Raju Sinha

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-09-2015

Heard learned counsels for the petitioner and the State.

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

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant. The petitioner filed Matrimonial Suit No. 177 of 2014 for restitution of conjugal life wherein the complainant entered appearance and compromise petition was filed when the complainant agreed to resolve the issue and withdraw the present complaint, the same has

been brought on record as Annexure-2 and 3 and on the basis of compromise, the said matrimonial case was disposed of on 04.04.2015 by learned Principal Judge, Family Court, Nalanda, Bihar Sharif, the said order has been brought on record as Annexure-4. The present complaint has been filed on 03.09.2014. A statement has been made in para 6 of the petition that the petitioner is still ready to keep the complainant as wife with full dignity and honour, which reads as follows:-

“That the petitioner is ready to keep opposite party no.2 as his wife with all dignity and honour.”

Considering the aforesaid facts, 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 C.J.M., Vaishali at Hajipur in connection with Complaint Case No. 2925C of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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