

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50727 of 2015

Arising Out of PS.Case No. -122 Year- 2015 Thana -BABUBARHI District- MADHUBANI

1. Md. Sadre Alam Son of Subhan, Resident of Village - Khedge, Police Station - Babubarhi, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabana Khatoon, Daughter of Molbi Murtaza, resident of village - Chhaurhi, Police Station - Babubarhi, District - Madhubani.

.... Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate
For the Opposite Party/s : Mr. Veena Rani Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504/34 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour, but does not deny the contention of the



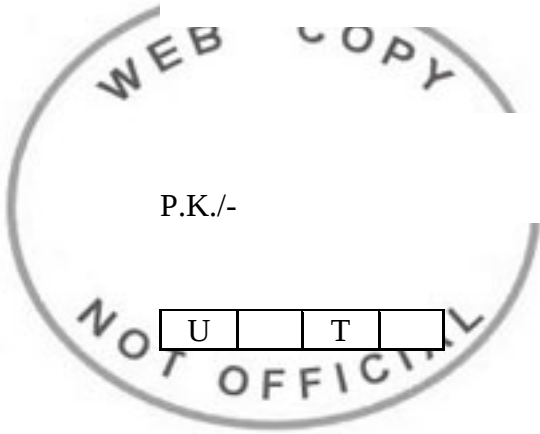
counsel for the informant. He has performed second marriage. In the circumstances, the informant is not ready to resume the conjugal life. It is further submitted that the petitioner is ready to pay Rs. 2,000/- per month from December, 2015 to the informant by depositing the same in her account by second week of every month.

Considering the present stand of the petitioner, 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IInd, Madhubani in connection with Babubarhi P.S. Case No. 122 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The petitioner undertakes to supply a copy of the order to the complainant within a period of three weeks when it is expected from the complainant to submit the bank account number by filing the same on affidavit before the learned court below within a period of three weeks. The aforesaid payment will be subject to any order being passed in matrimonial or maintenance proceedings.

Three consecutive defaults in making payment will give liberty to the complainant to file 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)

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