

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24871 of 2015

Arising Out of PS.Case No. -894 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sudhir Singh Son of Sri Ramanuj Singh resident of village - Madhurapur
Tola, Pubari, Police Station - Teghra, in the District of Begusarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Nandani Kumari Wife of Sri Sudhir Singh and daughter of Sri
Permanand Singh Presently residing in village - Maranchi, Police
Station - Maranchi in the District of Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

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

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

03/ 02-11-2015

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
Sections 498A, 494 of the Indian Penal Code and 3/4 of Dowry
Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand and performing second
marriage.

The petitioner and the complainant are present in the Court.

Though, the complainant is ready to resume the conjugal life, but the petitioner is not ready to accept the offer since Matrimonial Suit No. 223 of 2013 was filed prior to lodging of the present complaint on 24.10.2013 but the same was dismissed for default. Thereafter, another Matrimonial Suit No. 242 of 2013 was filed on 22.11.2013 but the present complaint was filed on 21.11.2013. However, the petitioner is ready to make payment of Rs.2,000/- per month from December, 2015 to the complainant by depositing the same in her account by second week of every month.

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner and undertakes to submit the bank account number on affidavit before the learned court below within a period of four 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, Barh, Patna in connection with Complaint Case No. 894C 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 passed in matrimonial, maintenance or connected 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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