

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5265 of 2015

Arising Out of PS.Case No. -1305 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

=====

1. Lal Mohar Sah S/O Late Bindeshwari Sah

.... Petitioner/s

Versus

1. The State of Bihar

2. Guddi Devi W/O Lal Mohar Sah, D/O-Late Shambhu Sah

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

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

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 09-02-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 1305 of 2012 in which cognizance has been
taken for the offences punishable under Sections 498 A of the
Indian Penal Code and 4 of Dowry Prohibition Act.

Petitioner happens to be husband of opposite party
no. 2 and his marriage was solemnized with opposite party no. 2 in
the year 2004 whereas the complaint case was filed in the year
2012. Para-8 of the complaint petition shows that the complainant
had made complaint before the Pariwar Pramارش Kendra,
Superintendent of Police, Purnea and the petitioner admitted to
provide maintenance of rupees five hundred each to the

complainant (opposite party no. 2) as well as her daughter.

The grievance of the opposite party no. 2 is that in spite of admitting to provide maintenance to her, the petitioner did not make any payment to the opposite party no. 2.

The contention on behalf of the petitioner is that the petitioner is regularly making payment of the aforesaid amount to the complainant as well as her daughter. It is further contended by him that petitioner is still ready to keep the complainant with full honour and dignity but complainant does not want to lead her conjugal life with the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Purnia in Complaint Case No. 1305 of 2012 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

SHAHZAD/-

U		T	
---	--	---	--