

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33546 of 2015

Arising Out of PS.Case No. -592 Year- 2014 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Rajeev Ravidas @ Rajjev Rabidas

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner 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 3/4 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 is ready to keep the complainant as wife with full dignity and honour and has also filed matrimonial case for restitution of conjugal life.

It is submitted by learned counsel for the complainant that the petitioner is impotent and he used to force the complainant to establish physical relationship with the brother-in-law of the

petitioner. Moreover, in spite of court's order in a maintenance proceeding of making payment of ₹1,200/- per months as maintenance from 09.07.2014 as well as the litigation cost to the complainant, the petitioner has not paid the same. Hence, in such circumstance, reconciliation is not feasible.

Considering the rival submissions of the parties, 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 SDJM, Munger in connection with Complaint Case No. 592C of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner shall be accepted after producing the proof of making payment of entire maintenance amount along with litigation cost to the complainant as directed by the learned court below in maintenance proceeding.

Learned court below will be at liberty to cancel the bail bonds of the petitioner if he defaults for three consecutive occasions in making payment.

(Dinesh Kumar Singh, J)

Amrendra/-

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