

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38470 of 2015

Arising Out of PS.Case No. -558 Year- 2011 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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1. Deban Singh Son of Sri Ramjee Singh resident of Village- Latra
Bishanpur ,Post Harinmar ,P.s Bariyarpur, District Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bulbul Devi wife of Sri Deban Singh, Daughter of Sri Manilal mandal
presently resident of Village- Bahadurpur,Post-Harinmar,P.s Bariyarpur
District Munger

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13
For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 Petitioner being husband of the daughter of
the complainant is apprehending his arrest in a complaint case
wherein processes were directed to be issued after cognizance
being taken for the offences under Sections 498A of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that wife of the petitioner, to a Court question during
under Section 202 Cr.P.C enquiry has specifically stated that
she is not ready to reside with the petitioner. The same has
been brought on record as Annexure-3 to the petition.

In the alternative, petitioner is ready to make

payment of Rs. 1500/- to the daughter of the complainant from October, 2015 by depositing the same in the bank account of the daughter of the complainant by second week of every month.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail, 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, Munger in connection with Complaint Case No. 558C of 2011.

The petitioner undertakes to serve a copy of this order to the daughter of the complainant within a period of two weeks, when it is expected from the daughter of the complainant to supply the bank account number within a period of three weeks thereafter by filing the same on affidavit before learned Court below. If the daughter of the complainant fails to accept the payment, the same shall be deposited before learned Court below which will be subject to the result of the case.

The abovementioned payment will be subject to any order being passed in matrimonial or maintenance proceeding.

Three consecutive defaults in making

payment will give liberty to the daughter of the complainant to file appropriate application for cancellation of bail of the petitioner.

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(Dinesh Kumar Singh, J)