

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55887 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -MAHILA P.S. District- BANKA

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1. Vikash Kumar, son of Sri Shiv Shankar Jaiswal, resident of village-
Mahgama, P.S-Mahgama, District- Godda, State of Jharkhand.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Ranjan

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 09-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A,341,323 and 504/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant in 2006 and birth of a male child in 2010. The petitioner filed Matrimonial Suit No. 40 of 2014 with a prayer for divorce and thereafter the present FIR has been registered. It is further submitted that in the matrimonial suit the petitioner has been directed to pay

maintenance of rupees ten thousand per month which the petitioner is ready to pay though statement to that effect has not been made in the petition.

Considering the filing of the matrimonial suit at earlier point of time and the present stand of the petitioner, 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 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 SDJM, Banka in connection with Banka Mahila P.S. Case No.46 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bond of the petitioner shall be accepted on filing proof with regard to up-date payment of maintenance amount.

(Dinesh Kumar Singh, J)

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