

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45050 of 2014

Arising Out of PS.Case No. -82 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

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Amit Kumar Singh @ Amit Singh Son of Hari Shankar Singh, resident of
village- Gopthhula, P.S.- Mofassil, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi, D/o Kedar Singh, P.O. Kothiya, P.S.- Industrial Area Buxar,
District- Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 17-04-2015

Heard learned counsels for the petitioner and
the State.

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

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

Notices were issued to the informant-
opposite party no. 2 vide order dated 18.12.2014, but it appears
that in spite of valid service of notice, none is appearing on behalf
of opposite party no. 2.



It is submitted by learned counsel for the petitioner that petitioner filed Matrimonial Suit No. 224 of 2014 for divorce on 03.07.2014 and thereafter the present FIR was lodged on 08.07.2014. However, the petitioner is ready to pay Rs.1,500/- per month from May, 2015 to the informant by depositing the same in her account by second week of every succeeding month.

Considering the fact that the matrimonial suit was filed by the petitioner 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 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 Chief Judicial Magistrate, Buxar in connection with Industrial Area Buxar P.S. Case No. 82 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The petitioner undertakes to supply a copy of this order to the informant within a period of three weeks from today when it is expected that the informant will supply bank account number by submitting the same on affidavit before the learned court below.

The aforesaid payment will be subject to any order being passed in matrimonial, maintenance or other proceeding arising out of matrimonial dispute.

Three consecutive defaults in making payment will give liberty to the informant to file application for cancellation of bail bond of the petitioner.

(Dinesh Kumar Singh, J)

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