

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24434 of 2015

Arising Out of PS.Case No. -3679 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Anil Kumar Rai Son of Ram Bharesh Rai Resident of At Village- Rampur
Dumari, P.O.- Karhatiya Bujurg, P.S. - Goraul (Katahara O.P.), District-
Viashali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suman Devi Daughter of Shri Umashankar Rai Resident of At Village-
Maheya, P.O.- Malpur, P.S.- Patepur, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupam Sinha
For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 13-10-2015

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the

complainant is apprehending his arrest in a complaint case
wherein processes have been directed to be issued after
cognizance being taken for the offences punishable under
Sections 498A of the Indian Penal Code and 4 of Dowry
Prohibition Act.

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

The petitioner and the complainant are present.

The marriage between the petitioner and the complainant and birth of a male child are admitted facts.

The petitioner claimed to have filed Matrimonial Suit No. 276 of 2014 for divorce prior to lodging of the present case. Though, the complainant is ready to resume the conjugal life, but the petitioner is not ready to accept the offer of the complainant. The petitioner is ready to pay Rs.2,000/- per month from November, 2015 to the complainant by depositing the same in her account by second week of every month.

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner and undertakes to submit bank account number on affidavit before the learned court below within a period of three weeks.

Considering present stand of the parties, 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 Sub-divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 3679(C) of 2014, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

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

The present order, in no way, will preclude the parties to resolve the issue otherwise.

DKS/

(Dinesh Kumar Singh, J.)

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