

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1194 of 2015

Arising Out of PS.Case No. -2048 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Suryadeo Paswan

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar Rakesh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-01-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 494 and 498A/34 of the Indian Penal Code.

The accusation is of torture and performing second marriage.

It is submitted by learned counsel for the petitioner that the petitioner is still ready to keep the complainant with full dignity and honour but the offer of the petitioner is not acceptable to the learned counsel for the complainant since the petitioner has performed second marriage.

In the alternative, the petitioner is ready to pay Rs. 1,500/- per month to the complainant from February, 2015 by

depositing the same in the bank account of the complainant by second week of every month.

On instruction, learned counsel for the complainant submits that the offer of the petitioner is acceptable to the complainant who undertakes to supply her bank account number to the petitioner by filing the same on affidavit before the learned court below.

Considering the stand 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 2048 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

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

(Dinesh Kumar Singh, J)

Amrendra/-

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