

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45409 of 2014

Arising Out of PS.Case No. -1254 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

Lalit Narayan @ Tej Narayan Sah Son of Late Ram Naresh Sah Resident of
village- Kadwan, P.S.- Nokha, District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi Wife of lalit Narayan @ Taj Narayan Sah and Daughter of
Girja Sah Resident of village- Chanka, P.S.- Nokha, District- Rohtas

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh

For the Opposite Party/s : Mr. Dr.Indiwar Kumari (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

06/ 17-03-2015

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

On submission of learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in para 15 of the petition, the notices were issued to the complainant on 23.12.2014 and in pursuance to the same the petitioner and the complainant are present.

The offer of the petitioner is not acceptable to the complainant as she claims as amount of permanent alimony.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Rohtas at Sasaram in connection with Complaint Case No. 1254 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

It is submitted by learned counsel for the petitioner that the question of maintenance is pending before the Principal Judge, Family Court, Rohtas at Sasaram in Maintenance Case No. 07 of 2014.

Let the learned court below decide the question of

permanent alimony within a period of six months and on payment of said money the provisional bail will be confirmed by the learned Sub-divisional Judicial Magistrate, Rohtas at Sasaram.

(Dinesh Kumar Singh, J)

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